# Journal of Administration Overseas

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INCLUDING

**Urbanization in Zambia**
**by A. J. F. Simmance**

**Administration in Kenya, a Study of Mbere — Part I.**
**by David Brokensha and John Nellis**

**Reform Proposals for the Venezuelan Public Administration**
**by Allan-R. Brewer Carias**

**BOOK REVIEWS**
**by Professor J. D. B. Mitchell, Professor Walter Elkan, A. Dunsire, B. J. J. Stubbings, James S. Read, W. A. Dodd and Rowton Simpson**

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**Contents**


Editor's Notes 497

Urbanization in Zambia 498
*by A. J. F. Simmance*

Administration in Kenya, a Study of Mbere – Part I 510
*by David Brokensha and John Nellis*

Reform Proposals for the Venezuelan Public Administration 524
*by Allan-R. Brewer Carias*

Ombudsman for Caribbean Governments 536
*by Leroy Jackman*

Quarterly Notes: 544
IULA Conference on Leisure
Cento Seminar on Industrial Disputes
Ladybirds as Famine Fighters
Westminster Model and its Alternatives
A New Contemporary

Book Reviews 548

Book Notes 564

# Editor's Notes

"Urban growth has become pathological. It threatens to overlay and stunt the healthy elements of expansion" – BARBARA WARD

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URBAN growth in Asia and Latin America is reaching such mammoth and frightening proportions that Professor Borgstrom has warned that "today's Calcutta will be a model city compared with the monsters of 15 to 16 million people now taking shape". In Africa's new countries cities are also growing fast, but there is still time, subject to sensible planning in urban areas and concurrent rural development as a disincentive to migration, for one continent at least to avoid some of the worst urban pitfalls that have befallen Asia and elsewhere.

In this Number we are very glad to publish A. J. F. Simmance's study of Urbanisation in Zambia in which he sets out the plans of one new nation for keeping urban growth within manageable bounds. On the other side of the coin, in Kenya, a picture is painted by David Brokensha and John Nellis of the administration of a rural area, on which in no mean measure must depend whether migration to Nairobi or to Mombasa, is kept within tolerable bounds. The still pre-eminent role of the district officer and the continuing dependence on chiefs and sub-chiefs may be a little surprising to some of our readers; major reform has not yet been found necessary by the post-independence Kenyan Government in so far as field administration is concerned.

Dr. Brewer Carias on the other hand describes proposals submitted by a Commission under his Presidency, for the reform of public administration in Venezuela so as to meet the requirement of a modern progressive society. As he points out, administrative reform is a continuing process and is no end in itself. Another aspect of administrative reform, the office of Ombudsman, is discussed by Leroy Jackman who reckons that other Caribbean countries would do well to follow Guyana's example and establish such a post – preferably with enhanced jurisdiction.

# Urbanizaton of Zambia*

By A. J. F. SIMMANCE

Mr. Simmance has been an adviser in public administration, attached to the Cabinet Office, Lusaka, Zambia, since 1966. He was previously Principal of the Kenya Institute of Administration.

## The Planning Background

Most of the policy guidelines for modern development planning in Zambia derive from the so-called "Seers Report" which was prepared over a four-month period between November, 1963, and March, 1964[1].

No member of, or consultant to the Seers Mission was an urban specialist as such, and the Report had comparatively little to say directly about the problem of urbanization. It assumed that over the period 1963-70 there would be a flow of about 1.5 per cent per year of the rural population (including women and children) to the towns, and that the total urban population would grow from 0.77 million in 1963 to 0.85 million in 1965 and 1.08 million in 1970.

It proposed the creation of a National Housing Authority[2] along with a programme of house construction and improvement. It suggested that the effect of policies aimed at the reduction of rural/urban migration would not be great, and that the rate of migration could not be expected to slacken for many years. Nevertheless, its proposals for rural development were intended "to have a dynamic effect on the countryside, and thus reduce the temptation to migrate towards the towns". These proposals were aimed at greatly increased agricultural production, land re-settlement and the modification of customary land tenure systems.

At the time of the Seers Report (1964), Zambia was already recognized as the most urbanized country in Africa south of the Sahara (excluding South Africa). Although the mode of life of some 70 per cent of the population still lay in subsistence farming, traditional agriculture generated a total annual output of about K50 million only[3] and the contribution of African agriculture to the gross domestic product had remained static for many years at around 10 per cent. Cash income from traditional farming stood at about K10 million per annum, supplemented by at least K7 million remitted by absentee wage-earning members of the rural family. Large-scale commercial

*This article has been abridged from a paper originally prepared as a contribution to the International Urbanisation Survey conducted by the Ford Foundation in the period 1970-1972.

[1]Report of the UN/ECA/FAO Economic Survey Mission on the Economic Development of Zambia. Falcon Press, Ndola, 1964. The Head of the Mission was Dr. Dudley Seers, subsequently Director of the Institute of Development Studies at the University of Sussex.

[2]Which came into existence in 1970, replacing the earlier Zambia Housing Board.

[3]1 Zambian Kwacha = US $1.40 prior to the 1973 dollar devaluation.

farmers (i.e. a declining number of European agriculturalists) produced over two-thirds of the maize and virtually all the Virginia tobacco marketed in the country. Real *per capita* incomes of Africans in the rural areas were about K23 per head as compared with K291 for their fellows in the towns.

One of the eight declared objectives of the First National Development Plan (FNDP) 1966-70 (later extended to 1971), was "to minimise the inherited economic imbalance between the urban and rural sectors". The gap, however, has widened over the years rather than narrowed. Purely in terms of production, the 1969 maize harvest was 11 per cent below that for 1964. For climatic reasons, the 1970 harvest was a disaster and led to large-scale maize importations. Commercial maize deliveries for the 1970-71 season were only half those for the previous year. Virginia tobacco output fell some 40 per cent between 1964 and 1969, cattle sales fell from 67,500 to 39,000, and milk production was reduced from 4.3 million gallons to 3 million gallons. The contribution of agriculture to domestic income had fallen to 7 per cent by 1970. Admittedly, these figures reflect a decline in commercial yields from European farmers, and should be set against spectacular improvements in cotton and poultry production by African producers. But they illustrate the fact that, as a whole, the agricultural sector of the economy was in decline between 1964 and 1970, and that African production for the market had failed to make up the gap caused by the exodus of expatriates from the commercial farming sector. Furthermore, this inadequate performance contributed to a 100 per cent rise in Zambia's bill for imported foodstuffs from K14 million in 1964 to K28 million in 1969. Receipts from agricultural exports averaged only K10 million annually between 1965-67, or just over 2 per cent of total export earnings, and hardly a compensating factor. In 1969, export crops (mainly tobacco) realised no more than K4.6 million.

More expensive importation routes, via Dar-es-Salaam and Lobito Bay, were certainly elements in the escalating food import bill, as was greatly increased demand by a rapidly-growing urban population with more money in its pockets than ever before. Even so, self-sufficiency in basic foodstuffs is still not complete and the contribution of rural development to the strength of the national economy is far too slight. The Second National Convention at Kitwe in December 1969 recommended that "immediate steps should be taken to revive, and channel into rural development, the dynamic political enthusiasm of the pre-Independence era". Time and time again, the national political leadership – from His Excellency the President downwards – has reiterated that rural development must be the central theme of the Second National Development Plan. But how this is to be done tactically and the countryside made economically productive and attractive to live in, will remain an unsolved question until the revised development strategy is fully implemented and its results can be assessed.

The comparative backwardness of the rural economy has – unfortunately, from the point of view of a reduction in urban/rural disparities – been accompanied by a great expansion in economic infrastructure along the line-of-rail. Many new industries have been established; manufacturing output increased at an average of 20 per cent per annum between 1964 and

1969, which was 4 per cent higher than the planned rate of growth. But wage increases have averaged between three and four times the rate assumed in the FNDP, and have probably added more than an extra K200 million to consumer demand. The real income of workers in the urban areas has risen by over 50 per cent since 1964, and this itself may have contributed to a steep rise in the price of urban goods (money wages have risen by about 150 per cent over the same period). The purchasing power of rural cash incomes has been reduced and, as one economist has put it[4], "the peasant farmer may now be only about half as well off in relation to the urban worker as he was in 1964. This has played an important part in the rapid flow of persons from the rural areas to the towns, causing an increase in urban population of 8 per cent per annum between 1963 and 1969".

Thus, the major shortcomings of economic forecasting since Independence have been the relative stagnation of the rural areas coupled with an unprecedented and unanticipated rise in both real and money incomes in the towns. There can be no doubt that it is the combination of these two factors which has been responsible for the high rate of rural/urban drift.

It would be wrong, however, to castigate the planners for this result. The FNDP was cautious about the probable success of rural development programmes, and neither the Plan itself, nor the Seers Report, expressed any optimism that the movement of people from the rural areas to the towns could be stemmed, let alone reversed[5]. The chief criticism to be made is that Government income policies – or lack of policies – despite attempts since 1970 to apply a national ceiling to annual wage increases of 5 per cent[6], have accelerated the trend, and the repeated exhortations of "Back to the Land" have not been supported by sufficient economic encouragement to people either to return to the land or to remain on it in the first place.

It is also worth noting that, in the planning process itself, strong efforts have been made to impart a regional flavour both to Development Plans and to the machinery for plan implementation and project development for the future. The First National Development Plan was deliberately broken down into programmes for each Province. The organization of the Planning Office gives prominence to a Regional Development Section with the country divided into three macro-economic regions, as follows:

| | |
|---|---|
| *Western Macro-Region* | Western Province |
| | North-Western Province |
| *Central Macro-Region* | Copperbelt Province |
| | Central Province |
| | Southern Province |
| *Eastern Macro-Region* | Eastern Province |
| | Northern Province |
| | Luapula Province |

[4] "How successful was the First National Development Plan?" Dr. A. R. Jolly in "Six Years After"—supplement to the *Zambia Mail*, November 1969.

[5] The Seers Report prefaced its assumptions about the rate of influx with the caution that this was quite unpredictable – as, in fact, it proved to have been.

[6] The Annual Report of the Department of Labour for 1971 (Govt. Printer, Lusaka 1971) admits frankly that the Government's wages policy has not been successfully implemented. (Paras 28-29 on pages 5-6 of the Report).

The second National Development Plan has been broken down to incorporate Provincial programmes to a far greater extent than the First and, in its formulation, local priorities and opinions have received considerable weight through the medium of Committees at National, Provincial and District level. It is described in President Kaunda's foreword as a "People's Plan" and "a typical example of participatory democracy" and, as a planning exercise, thousands of people have been involved.

The First National Development Plan *did* designate a total of K88.4 million of capital investment funds to agriculture and lands (out of a grand total of K564 million)[7] quite apart from substantial sums for roads, education, agricultural training and rural health. It would be beyond the scope of this article to try and explain why this investment (of which, admittedly, only 76 per cent was actually spent) did not have sufficient impact on peasant production or on improving the amenities of rural life. The problem has proved intractable, not only in Zambia, but in many other parts of the developing world.

**Future Strategy for Rural Development**

The rural development strategy formulated for the Second N.D.P. period from 1972 to 1976, is directed to the following main objectives:[8]

a. to increase rural incomes in cash and kind, based largely on increasing the productivity of the family farm with the aid of agricultural extension services and the improvement of marketing facilities for farmers' produce; the improvement of nutritional standards by encouraging greater production and consumption of protein and protective foods;

b. to improve rural standards of living by providing better social services as well as improved communications. A tentative budget of K17.5 million over the Five Year Plan period is being allocated for the creation of "intensive development zones", centred on areas with favourable ecological and economic prospects;

c. to absorb into agriculture a majority of primary and secondary school-leavers who, it is hoped, will be attracted by the efforts made to reduce the unemployment and under-employment traditionally associated with subsistence and semi-subsistence methods;

d. to pursue methods of job diversification based on agro-allied industries and services, though progress in terms of jobs created is likely to be relatively slow. Training for young people will receive special attention;

e. to concentrate increased productivity and employment in the rural areas on those commodities for which there is a ready market. This will support the national policy of reducing dependence on copper for foreign exchange by import substitution in regard to food and fibre.

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[7]Actual capital expenditure at current prices totalled K678 million thus exceeding the Plan target by 20.2 per cent. But of this total the three line-of-rail Provinces absorbed 82 per cent in contrast to a 69 per cent share envisaged when the original capital budget was prepared. This concentration of investment along the line-of-rail has obviously aggravated the movement to the towns.

[8]The writer is indebted to Mr. P. Stutley, formerly Planning Adviser, Ministry of Rural Development, for this description of the Plan strategy. See also SNDP cap II pp. 61-62 and Part 2 Regional planning, pp. 167-187.

Official thinking deplores the growing disparity between urban and rural incomes yet, at the same time, deprecates the cost-of-living increases in the urban areas which must follow if agricultural producer price increases are awarded, and the level of consumer subsidies left unchanged. The fact that such subsidies are usually administered through agricultural marketing boards encourages the assumption that they are subsidies to farmers, whereas the greater proportion are probably designed to keep down the price of food to urban consumers, at high national cost. The reduction or elimination of heavy subsidies on basic foodstuffs would generate large savings and significantly reduce the comparative attractiveness of urban life. Unfortunately, it might also lead to industrial unrest. It is perhaps, this uneasy prospect which leads policy-makers to hesitate and to maintain subsidy levels which perpetuate the trends they are anxious to reverse. It is possibly too soon to say whether increasing financial stringency will force the issue in favour of a reduction of subsidies which rose from K4 million in 1965 to a peak of K35 million in 1968, and which have fluctuated between K18 and K23 million, ever since.

The rate at which people have been flocking from rural to urban areas[9] is greatly in excess of the 1.5 per cent per annum envisaged by the Seers Report (allowing for natural increase, the actual rate was probably 5-6 per cent), but the Government admits that it cannot radically influence this rate in the short term. Nevertheless, the overall economic situation will probably reduce the rate at which the income disparity between the urban and rural areas has been increasing in recent years[10]. If some real increase in rural *per capita* income can be achieved, this may do something to reduce the influx of hopefuls into the cities, and the time their relatives are prepared to support them in an unemployed or semi-employed state.

In the next section of this article, the facts of rural/urban migration are discussed in more detail, along with the *employment and social conditions* which have accompanied the exodus from the rural areas towards the towns.

**Rural/Urban Migration and Employment**

Migration from rural to urban areas has continued at a very rapid rate. Between 1963 and 1969, the urban population increased by 441,000 from 747,000 to 1,188,000 – a rise of 60 per cent over six years, or more than 8 per cent each year. The overall population increase recorded by the 1969 census was 17.3 per cent since the last census in 1963, whereas the Copperbelt and Central Provinces recorded increases of 50 per cent and 40 per cent respectively – these being the Provinces in which the main urban centres of the country are located. The Luapula and Northern Provinces, from which migration was on a particularly large scale, showed overall population declines of 21,000 and 18,000 people respectively.

Zambia has, of course, long been accustomed to an urban population growth rate at least twice the rate of natural increase and, since the first

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[9]But see page 17 regarding the forecast in the Second N.D. Plan.

[10]The Second N.D.P. suggests that the gap has already ceased to widen – but only as a general inference.

copper boom of the 1920's, the migratory pattern has – apart from Lusaka's new prominence as a major growth centre – not significantly changed. Urbanization is essentially a line-of-rail phenomenon and, of Zambia's eight Provinces, it is the three through which the railway passes – Southern, Central and Copperbelt Provinces – that attracts the migrant. Out of a total urban population of rather over a million, two-thirds are on the Copperbelt and a quarter in Central Province.

The Central Province is now perhaps the most dramatic example of Zambia's dual economy, the urban and the rural sectors. The further away from Lusaka or Kabwe – the two main urban centres – the lower the rate of population increase, implying more and more net migration, until absolute declines in population are encountered in Feira and Serenje Districts. The Lusaka Urban District has grown by 11.6 per cent per annum since 1963. At this rate, Lusaka may be expected to double its population every 6½ years, which certainly exceeds the average rate of urban growth in Africa and must make it one of the fastest-growing cities in the world.

In all the urban areas, the female population has grown more rapidly than the male[11], suggesting a move of dependants from the villages (and from subsistence agriculture) to join the breadwinners in the towns. By 1969, in any case, some 53,000 employed persons were spread throughout the five predominantly rural Provinces, as compared with over 275,000 in the three Provinces along the line-of-rail. Employment is, therefore, very heavily concentrated along the line-of-rail, particularly in the towns. But it is the hope, rather than the firm prospect, of employment that attracts an increasing number of immigrants to the urban areas.

The First National Development Plan aimed at the creation of 100,000 new jobs, but over the original period of the Plan (1965-70) generated only 65,000 of these. Even so, total wage-earning employment increased by a third over a five-year period, a substantial advance in comparison with achievements in most developing countries. Nevertheless, for Zambia as a whole, employment as a percentage of total population fell between 1966 and 1969, a period when absolute employment figures were still growing quite rapidly (an annual average increase of 6.5 per cent) and when the national rate of population increase (2.7 per cent) was lower than had been expected (3.3 per cent in the First N.D.P.).

An explicit objective of the 1966 Manpower Report (table vi 2, page 48) was that employment should run ahead of both labour force and population growth. But official employment statistics over the years show a trend which is against this objective being met.

Still, the picture may be brighter than it appears, since Central Statistical Office employment surveys do not include self-employed persons, and these should have increased greatly as a result of urban growth. Moreover, taking

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[11]The urban sex ratio, although still heavily in favour of males (except for juveniles) was much less so in 1969 than in 1963.

Zambia as a whole, the proportion of the total male labour force of around 900,000[12] which is *not* in wage employment is about 64 per cent.

It is obvious that the hope of wage employment remains a powerful incentive to migration to the towns, and that disappointing overall employment ratios exert no pull in the opposite direction. Increases in employment in the rural areas have almost entirely been due to expansion in the Public Sector (Central and Local Government and statutory bodies). In the rural private sector, there has been little progress and, in some cases, an absolute decline in employment figures has been recorded over the years, e.g. 3,000 in the agricultural wage-earning group between 1960 and 1970 with a trough of 5,000 in 1966.

This decline in agricultural wage-earning is largely attributable to the abandonment of their farms by European settlers who departed the country after Independence, leaving their debts as well as their acreages behind. The number of commercial farmers declined between 1964 and 1970, from well over a thousand to only 600, and much productive land was left idle when they went. Following a national referendum in 1969, which approved the State acquiring abandoned farms compulsorily, a Land Acquisition Act was passed to confer the legal powers required. The way was open, therefore, for abandoned farms to be re-developed either through State Agencies or by transfer to new commercial farmers, of whom at least 100 are Zambians already. The prime cause of the decline in employment opportunities in agriculture was thus removed so that, although rural wages were still not competitive with urban rates, an upturn in agricultural wage employment was discernible by the end of 1970.

The employment problem is, of course, a problem of youth. Of a total Zambian population recorded by the 1969 census of 4,056,995, well over half were under twenty years of age. The number of young people unable to obtain a secondary school place at the end of 1969 was about 50,000 and this number is likely to grow to 100,000 annually by 1978. The Government is well aware of the implications for youth employment, and has constantly urged young people to take up careers on the land rather than migrate to the towns in search of work. At the National Convention on the Development Plan at Kitwe in 1967, His Excellency the President pointed out:

> "One cannot these days, address the youth of this vigorous young country without mentioning land. Nothing in the long run will mean as much to Zambia as the proper use and exploitation of our land. Again, who else can I call upon . . . to perform in this field, except the youth . . .? The point I want to stress is, we need more and more youth to get settled on the land."

Zambia, indeed, had a National Youth Service until 1971, the motto of which was "Back to the Land". But, of the 157 youths who completed their training in 1968, 136 were inducted into the Police, with a corresponding figure of 208 out of 294 for 1969. The Service has now been replaced by

[12]The planning authorities regard the 1969 census figure of 796,000 as an underestimate.

"National Service" universally based and aimed less ostensibly at agriculture and more towards defence.

Despite the priority given to rural development in the SNDP, many young people remain alienated from the land and practical programmes for the full participation of youth in rural development are still incomplete. It can be taken for granted that urban school-leavers seek employment in urban areas, but so do a significant proportion of rural school-leavers. Employment as such is probably not their initial aim. They aspire to enrol in a training programme, but they are reluctant to consider such training as terminal. When they find further training unobtainable, they drift into the labour market, but are often unwilling to adjust their aspirations to the idea of unskilled or "blue-collar" work, particularly in the agricultural field.

Job opportunities for primary school-leavers were estimated as not more than 9,000 in 1970, compared with the 50,000 who left school at Grade VII level. If one could deduct from this job opportunity figure the unknown number of "unacceptable" jobs, the residue would be small indeed. The basic problem remains one of altering the job-seeking pattern and the motivations that lie behind it, for there is no early hope that the numerical gap between final primary and first-year secondary school places (67,222 to 15,175 in 1970) can be reduced.

**Settlement and Housing**

The most obvious sign of the influx into the cities is the growth of sprawling shanty towns around almost every urban complex in the country, but particularly around Lusaka. Over the period 1967 to 1970, the number of such shanty towns or "squatter villages" in the Lusaka area grew from 9 to 32, accommodating over a third of the population of the city. These settlements are characterised by a lack of regulated plot demarcation, uncontrolled housing standards, overcrowding[13], no pure water supply, and no proper sanitation. Their growth has been spontaneous and unauthorised; they are "illegal" settlements, although the law has generally turned a blind eye to their existence, and has seldom intervened to evict their population or restrict their growth. Indeed, the most common criticism of both central and local authority policy towards these settlements has been that it has tended to ignore them, hoping (fruitlessly) to inhibit their growth by withholding services, reluctant to demolish them, and slow in providing legal alternative housing for their occupants. However, this policy has at last been consciously abandoned and replaced by a realisation that, since the squatter way of life is certain to persist for years to come, amenities such as stand-pipe water and sewerage have got to be provided and security of tenure introduced for squatter plots.

Of the cities, municipalities and townships in Zambia, Lusaka – with the worst housing problems to contend with, and a squatter population of well over a hundred thousand – probably has the worst record, and Ndola the

[13]Although a Lusaka survey in 1969, found the highest occupation density per house (16.1) in a *legal* suburb, New Kanyama, compared with a city average of 6.3.

best. At the end of 1969, the Lusaka City Council had a waiting-list for housing of 16,345 families and 3,636 single persons. It completed 668 houses during the year, a wholly inadequate figure, although at least an improvement on the 1968 total of 498.

Few employers in Zambia – outside the Civil Service and the Mines – provide housing for their employees, the great majority being content to pay their workers the statutory housing allowance of K3.50 per month. Moreover, nearly a quarter of local authority housing throughout the country is rented to civil servants and is unavailable to the population at large. The Government already owns about 20 per cent of the permanent houses in Zambia, and the Mines about 25 per cent, with obvious restrictions on occupancy in each case. Local authorities own another 30 per cent, the remainder being distributed between company ownership outside the mines and private landlords.

During the period of the First National Development Plan, national expenditure on low cost housing amounted to about K30 million, divided between approximately 12,800 units completed by local authorities and the provision of perhaps 12,000 site and service plots. Actual fell short of planned expenditure by about K3.6 million, and constructed house and plot figures by about a combined total of 2,400 units despite the extension of the Plan's duration to six years instead of five. But twice as much money was spent on Civil Service housing as on low-cost dwellings for the populace as a whole – an urgent response to manpower needs which will not be repeated during the period of the Second Plan. To provide fully-serviced houses, though, for current needs and to implement a squatter settlement programme, would cost at least K50 million per annum, which is unrealistic in budgetary terms.

The conflict between the desire to provide permanent housing in urban areas and the lack of sufficient funds to do so is, of course, a familiar one. The Report of the United Nations' Housing Mission to Kenya in 1964[14] suggested that "the only alternative is to attempt to control temporary housing, and to make it conform as far as possible to a plan . . . the best method of doing this is to undertake what are commonly called "site and service" projects". This is now Zambia's favoured solution, too – local authorities lay out the plots, provide roads, water and sanitation, issue roofing loans, supervise construction and charge modest rents. One or two of the most sophisticated projects, such as the Munali Scheme in Lusaka, have combined a core housing programme, based on a choice of pre-designed house plans, have been combined with the "site and service" method. There are still varying opinions about the likely success of this approach.

The Second National Development Plan housing programme envisages a total public expenditure component of K106 million[15] although, of this

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[14]By Laurence N. Bloomberg and Charles Abrams. Published by the Government Printer, Nairobi, 1965, p. 42, para. 222.

[15]Plus a matching contribution of K100 million from the private sector which, the Plan emphasises, must also play its part.

amount, only K35 million is intended for the direct provision of housing sites for self-help development and K5 million for squatter area improvement. However, another K50 million is earmarked for communal services, and this will presumably cover many of the facilities and improvements which are needed.

The Plan aims at the provision of 70,000 serviced plots, which is 15,500 less than its own estimated requirement of 85,500 new urban housing units by 1976. Even this requirement figure may be an underestimate assuming, as it does, an occupancy of six persons per urban unit (the 1969 census figure for the three urbanised Provinces was 5.2) and an annual growth rate in the urban population of 6.8 per cent as compared with 8.7 per cent between 1963 and 1969.

Provided that priority continues to be given to the provision of sites, basic services and loans for house construction to the urban masses, it is feasible that, over the next decade, the urban housing problem will be effectively tackled. Local authorities must resist expensive demonstration-house construction schemes. Budgetary allocations must be maintained or increased, rather than, as in the past, reduced at a time of more rapid urban population growth than had ever been expected. Even so, the implementation of an adequate urban housing programme requires greater acceptance that Zambia *is* increasingly an urban nation, and that phrases such as, "the 80 per cent of our population who live in the rural areas" are out of date.

Probably 45 per cent of all Zambians are already urban or peri-urban in their way of life. To deny essential services to a large number of these people in the hope that they will go home to their villages, or write and tell their brothers and sisters not to come, is no longer a tenable policy, if ever it was. Fortunately, recognition of this fact is implicit in the advanced developmental plans which have been adopted to allow for urban growth. The area of Lusaka City was legally extended in July 1970 from thirty-six to one hundred and thirty-nine square miles and "Greater Lusaka" will serve expansion needs for many years to come. There are many examples of similar far-sighted initiatives elsewhere.

### The Second National Development Plan 1972-1976

The Second N.D.P. covers a five-year period from January 1972 to the end of 1976. In contrast to its predecessor, urbanisation is a recurring theme[16], which is not surprising in view of the Plan's own estimate that – at the current rate of growth projected into the future – the urban population will double in nine years, and that the African population will grow from an estimated 4,336,000 in 1971 to 5 million in 1976, a higher annual rate of growth at 2.9 per cent than for either Latin America or South Asia (2.8 per cent), for Africa as a whole (2.6 per cent), or indeed, for Zambia between 1963 and 1969 (2.7 per cent).

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[16] *Op. Cit.* SNDP – See, for example, Chapter I, paras. 58-66 on pp. 50-53 and para. 79 on p. 56; Chapter XII pp. 145-149; Part Two, Regional Planning, especially pp. 167-169.

However, it is considered unlikely that urbanisation will continue at the same rate as in the immediate post-independence years, and the Plan settles on an expected growth of 6.8 per cent per annum in the urban population as opposed to 8.7 per cent between 1963 and 1969. It is hopeful that the emphasis on rural development will enable the rural areas to absorb a higher proportion of the labour force and population, and that a lack of adequate employment opportunities and rising costs of housing will act as a disincentive to urban migration. The following is the tabular summary of the Plan's conclusions:[17]

URBANISATION 1963-1976
*African population only*
(thousand)

| Year | Population | | Ratios of urban to total (percentage) |
|---|---|---|---|
| | Urban | Rural | |
| 1963 .. .. .. | 667 | 2843 | 19.0 |
| 1969 .. .. .. | 1128 | 2971 | 27.5 |
| 1971 .. .. .. | 1309 | 3027 | 30.2 |
| 1976 .. .. .. | 1882[18] | 3177 | 36.4 |
| 1978 .. .. .. | 2076 | 3227 | 39.1 |

The planners believe that the absolute population declines in the Northern and Luapula Provinces can be halted and that the rural provinces as a whole can absorb half or more of their natural population increase over the next five years. Even so, and as the table shows, the most that they hope for is a deceleration and not a reversal of the trend.

If these hopes are realised, the proportion of urban to total population will still have risen dramatically over fifteen years, even on a definition of "urban" which does not include the so-called rural areas adjacent to the line-of-rail. In numerical terms, the urban areas will have to absorb a population increase of well over half a million over the next five years compared with only 150,000 throughout the rural hinterland.

A sustained effort to improve rural employment opportunities will be required if the competitive attraction of the town is visibly to be reduced. The percentage share of agriculture in total G.D.P. is actually expected to decline, although only to a very small extent – from 10.9 per cent to 9.8 per cent in the subsistence, and from 4.2 per cent to 3.9 per cent in the commercial sector – between 1971 and 1976. Thus, the concentration of energies and resources in the rural sector, while real enough, can only be relative; it would be impracticable to attempt to disturb the basic orientation of the economy towards industry and mining as the main sources of the nation's

[17] *Ibid*, page 50, para. 58. Table I-II.

[18] This figure actually appears as 1822 in the table given in the Plan, but from calculations elsewhere, 1882 seems more likely to be correct.

wealth. Within these limits, it is still possible for smaller industries to be dispersed and for agricultural output to expand towards self-sufficiency and an export surplus.

The Plan calls for an increase in aggregate marketed output of the order of 50 per cent and sets out a time-table for self-sufficiency in basic foodstuffs with only livestock products still short of demand by 1981. So far as cereals are concerned, there is no reason why Zambia should not become a granary for Africa, and certainly no reason why the recent experience of maize imports at heavy cost should ever be repeated[19]. None of this need mean of course, that the rural share of the population can be stabilised let alone increased. But it does offer renewed hope that the urban masses, who no longer rely on subsistence agriculture for a living, can be fed from the agricultural output of the nation.

Compared with Asia, Latin America and even West Africa, Zambia's urban numbers must seem insignificant indeed, but their scale is unprecedented in Eastern Africa, and their impact on a young nation, proud of its traditions, has been great. The demographic information now available has swept away many of the cobwebs. Development policies have been adjusted to take account of the realities of the rural/urban drift and this, much more than the continuing debate over detailed perspectives, is what matters in planning for a balanced nation.

[19]The 1970 import crisis has given way to a large surplus crop in both 1971 and 1972. The 1972 harvest of seven million bags was the largest ever recorded and storage capacity has had to be urgently increased.

# Administration in Kenya - A Study of the Rural Division of Mbere

## PART I - THE DISTRICT OFFICER, THE CHIEF AND THE SUB-CHIEF IN THE 1970s

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THE basic question this paper attempts to answer is, precisely how does the Kenyan Government administer one particular rural locale – the Mbere division of Embu District, in Eastern Province? The authors seek to portray a composite picture of how this division is administered; to list the duties and activities of officials and agencies, and to analyse these officials' problems and difficulties with a view towards recommending practical alterations and improvements.

The reasons for choosing Mbere division are because (a) one of the authors has lived and studied there making local contacts and gaining detailed local experience, and (b) Mbere is one of the Kenya Government's five "first phase" Special Rural Development Programme (SRDP) areas, and Government officers in the division, knowing that unusual activities are planned or are taking place, are perhaps more open in their discussions of duties and difficulties.

The study is limited in the sense that no claim is made that Mbere is a typical Kenyan division. We do not imply that the local administrative situation is fully representative of any other area in Kenya. However, it is equally true that many of the problems faced in Mbere are found in other areas of the country, and it is highly likely that what takes place in Mbere broadly approximates to what might be called "standard administrative behaviour" in Kenya. Still, it should be borne in mind that this paper is about Mbere division, and not Eastern Province, or Kenya as a whole.

*Mbere Division*

Although little has been published about Mbere, enough is known of its physical base and its social institutions to be able to summarise the main features.

*Physical:*

The Division embraces 1576 sq. km. and ranges from 4000 ft. altitude in the north west to less than 2000 ft. in the south east. The Ena River is the only permanent stream that flows through the area. Rainfall varies from over 50 in. in the northwest to 36 in. at Kiambere, and much less at lower altitudes. Rain is erratic, causing frequent food shortages. Not only do altitude and rainfall vary, but also soils, some being fertile loam, others being sandy and rocky. Consequently there is a wide range of vegetation, from the acacia-commiphora to the terminalia-scrub thorn bush. Generally, the northwest sub-locations are physically more favoured, while parts in the south east are infertile and tsetse fly-infested.

The Mbere are culturally and linguistically related to their neighbours the Embu, Chuka-Tharaka, and Kamba: however, they see themselves, and are regarded by others, as a distinct group. We present an outline of their social organisation, parts of which have survived remarkably intact.

*Social:*

The Mbere live in generally small and scattered family homesteads (*micii*). About 50 to 100 *micii* form an *ituura*, or village: most sub-locations have five to seven of these villages.

The *muhiriga* or clan is still an important unit. Mbere has two major clans, and about forty lesser clans. The division into major clans (or moieties; Ndamata and Thagana) is still significant politically. Though age-grades are of little importance today, the idea of generational differences persists, sometimes hindering communication between groups, and perhaps acting as a barrier to development. More important than the clan is the lineage (*nyomba*), the effective unit for many purposes, especially control over rights in land.

Mbere social institutions are for the most part very flexible, at times bordering on a sort of social chaos. This is the result of their being poised unhappily between weakened traditional institutions and sanctions, on one hand, and an as yet imperfectly-grasped modernisation on the other. This, too, increases the difficulties of introducing changes, as there is no one authority, no single shared set of values. This difficulty is seen clearly in the present process of land adjudication.

Religious beliefs are also in a state of flux. Many older people adhere to their traditional beliefs in the power of ancestors to punish transgressors: this is frequently seen in the unease with which old men regard the cutting down of sacred groves of trees, formerly set aside for sacrifices and meetings. Yet it is not only the old illiterates who are bound by such beliefs. The oath *kaurogo*, formerly important in disputes over land or bridewealth, is now rarely used. *Ago*, the traditional doctors, are still of some importance: one nationally-known group is located on the slopes of Kiangombe, the highest mountain in the area.

We summarise the retention of traditional beliefs and values to indicate that there have been considerable changes, and also that these are not, as among some pastoralist groups, an almost insuperable problem in introducing

modernisation. In Mbere, nearly everyone wants more schools, dispensaries, better roads and water supplies, and is prepared to make some alteration in their way of life.

Economically, there have been many changes, though in parts a dual economy can clearly be seen – the cultivation of millet (also cow-peas and pigeon-peas) mainly by women, with maize as an intermediate crop, and cash-crops such as tobacco or cotton being cultivated by men. Markets are, for the most part, rudimentary.

*Mbere Special Rural Development Programme (SRDP):*

Mbere is one of the five divisions selected for the experimental SRDP, which was due to start in July 1970, but which actually got under way in May 1971. The main objectives of the Mbere SRDP, in brief[1], are to increase farm incomes by encouraging more efficient production of cotton, tobacco, and other lesser crops such as castor, katumani maize and Mexican 142 beans. Emphasis will be placed on group ranches in order to improve livestock, and bee-keeping is also important. New measures to facilitate the achievement of these objectives include land adjudication, encouragement of one amalgamated co-operative society, and the establishment of an agri-service station.

Major planned improvements in infrastructure emphasise roads and water: several roads are to be put on an all-weather basis, and a major water scheme will pump water from the Ena River through fifty-five miles of pipelines, to serve about half the population for domestic and livestock use.

The cost of Mbere SRDP exceeds Shs K10M, much of which is being donated by Norway, which is also supplying eight technical assistance personnel.

*Mbere and Non-Mbere people:*

According to the Kenya Population Census of 1969, the Mbere number some 50,000. As one of the smaller Kenyan tribal groups there is not surprisingly, a strong feeling of unity, mixed with some resentment of outsiders. While there is no evidence of personal animosity to individual officials, there is a general awareness of the relative absence of Mbere people in important positions. For example, of seven divisional heads – administration, agriculture, medical, education, community development, judicial and health – only the last mentioned is an Mbere man. At the main high school, only two of a staff of more than twenty are Mbere. All field officers with the land adjudication teams are outsiders. These posts are frequently held by people from the neighbouring Embu division and, as frequently happens, it is those who are nearest who are most suspect. There are also a few traders, transport-owners and prospectors from the Central Province.

Expatriates and Asians have never played a prominent part in the division's affairs: at the time of writing there were, living in Mbere, one Scandinavian

[1]Full details are given in the Eastern Province Planning Team's Report of December 1969, p. 125.

volunteer, two British, three Italian priests, three Indian teachers and a local Asian businessman.

*The District Officer:*

At the apex of administration in Mbere stands the District Officer, or DO. He is the chief administrative officer in the area, the personal link in the very powerful chain of authority which, in Kenya, extends from the various DO's up to the forty-one District Commissioners, through the seven Provincial Commissioners to the Office of the President, and beyond, to the prestigious figure of the President of the Republic. As everywhere throughout the country, the Mbere DO is responsible for the co-ordination of *all* Government activity taking place in the area. Through his Chiefs and Sub-Chiefs (who number four and twenty-one, respectively, in the area under discussion) the DO settles disputes, keeps the peace, and co-ordinates assessment and collection of the Graduated Personal Tax (GPT), which must be paid by most able-bodied males possessing goods or income worth more than 960 Kenyan shillings. The assessment and collection of this tax is one of the major and most time-consuming tasks for the DO and his subordinates. In his division the DO is the pre-eminent official figure; outside it he is very much subordinate to his District Commissioner and other senior officers. His own actions therefore conform with the directives given to him from above.

Besides GPT duties, the DO also supervises and integrates the actions of the technical ministry (Agriculture, Community Development, etc.) officers in his area. In this dominant co-ordinating position the DO is a powerful figure, for, as is the case with other members of the Provincial Administration, he can:

> . . . license political meetings, run local and other elections, co-ordinate the distribution of maize during shortage, oversee the land consolidation programme, and administer the other laws through which the Government seeks to implement its policies . . .[2]

As one former DO has put it, "the DO can take action in any field".

The present Mbere DO is a man of experience who served in the Kenya army for 22 years. He has been in the Provincial Administration since 1961, and has served in ten different areas. He became Mbere DO in September of 1970 and he shortly will leave the post and become Area Co-ordinator for the Special Rural Development Programme in Mbere division.

It is worth mention that Embu like many other Kenya districts both pre- and post-independence has suffered from a lack of continuity in its administrative staff. In a 54 month period from December 1966 to May 1971 the Mbere division has had nine different DO's.

Unlike all other officers with which this study deals, the DO is normally not severely hampered by transport, petrol, housing and office problems.

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[2]See Y. Ghai and J. P. W. B. McAuslan, *Public Law & Political Change in Kenya*, OUP, 1970, p. 309; also E. K. Ragui's "The Role of the District Officer in Kenya To-day" in the *Journal of Administration Overseas*, Vol. XI, No. 3.

The DO is provided with a Land Rover and driver, and he can usually depend upon a generous supply of petrol. Transport and the supply of petrol are major issues since few officers in the division have transport readily available to them. Even those that are provided with vehicles have a very limited supply of petrol. As for office accommodation and housing, a new divisional office block is in use, and the DO is well housed. Neither the house nor the office has electricity: the office does not have an internal water supply and that in the DO's house works sporadically. With the best of wills Siakago could not be described as an attractive place. Amenities are few and officers complain of being "socially frustrated". One former SO asked for a transfer on the simple grounds that Siakago was "not a fit place for a civilized man to bring his family". He got the transfer.

The resident staff at the DO's office in Siakago consists of the Land Rover driver, one clerk, one messenger, two "station-hands", and nine Administrative Police (APs) who come under the direction of the DO, though the Chief of Nthawa location, in which Siakago lies, sometimes utilizes the police for his peace-keeping and tax-collection needs.

Of his duties, the Mbere DO ranks tax (GPT) assessment, collection and related problems as his major task. He estimates that he spends about 30 per cent of his total time throughout the year on tax-related matters. Ideally, the tax process is designed to work as follows: About March of each year every location chief selects a sub-locational assessment committee, supposedly composed of a local minister of a church, a local trader, a politician, a farmer, a "common man", and the local sub-chief. In every sub-location the task of these committees is to assess which men are earning 960/- or more per year. Those earning this amount are liable for the minimum GPT payment of 48/-; the more one earns the more one pays – up to a maximum of 600/-, on income over £600 per year. (In reality the assessment committees are rarely so large, and the assessment is not normally done on the basis of earnings, but rather on the basis of possessions, mainly livestock.) Each person so assessed is informed, in writing, of his GPT and he can appeal against his assessment up through the administrative hierarchy to the chief, the DO, or finally to the DC. All those who are "working", i.e. earning a cash wage from an employer, pay their GPT in other ways; it is only the farming peasants and the self-employed who pay their tax through the assessment mechanism. Besides those exempted tax because their income was assessed below the minimum level for tax, there are other grounds for exemption: being exceedingly old or too young, a heavy school fees burden (not always a successful excuse), and sickness in the previous year. In 1971, many Mbere people sought and received remission on the grounds that the near complete failure of the short rains in November and December of 1970 resulted in poor crops.

The DO receives the reports of the assessment committees and compares the estimates with the figures for the previous year. The DO stated that he expected to see the GPT figure grow every year. Taxpayers are legally required to pay their year's GPT before 30 June, otherwise they will be classed as defaulters. To be a tax defaulter is a serious business, for if and when caught on a market day or during a tax raid, the defaulter will probably

– unless he pays on the spot or has a splendid excuse – spend a night in the Chief's "lock-up", be charged and sentenced by the local magistrate. He will have to pay a 30/- fine, or, in default, serve thirty days imprisonment, usually meaning labour at the divisional office or chief's camp. He is still liable for the GPT, and furthermore he is now subject to "penalty", which is one-half of the GPT. Since the overwhelming number of rate payers are assessed at the minimal 48/- amount, this late penalty normally amounts to a further 24/-.

Without selling stock, many farmers have no way of paying GPT on time. For example, farmers growing cotton, one of the major cash crops in the division, do not sell their harvest before August, September or even October. They thus would appear to have a legitimate excuse for delaying payment. It is not quite clear how the administration deals with this situation, but it is likely that an informal "grace period" prevails until after the time of cash crop sales, say until the end of September. In the last quarter of the year collection efforts are stepped up and tax raids are held.

Early in 1971, it was clear that a major collection problem existed for the division. The District Commissioner ordered that all 1970 arrears should be collected by the end of April, 1971, authorising the DO and Chiefs to start the legal process necessary to seize and sell the livestock of defaulters so as to recover the outstanding tax[3]. This, of course, is something of a last resort measure; all officers concerned recognize how unpopular such activity makes them. The procedure is as follows: the defaulter is identified and his stock noted. Then the chief of the location obtains from the local magistrate a distress warrant; the stock – usually one cow; more rarely a goat or two – is seized and sold. The going price for an average cow at Ishiara market in Evurore location is between two and three hundred shillings. Out of the sale the Government takes 48/- for GPT, 24/- for penalty and about 30/- for fine and court costs. We were unable to ascertain precisely how the remainder of the account is squared with the defaulting farmer. Seizure in this way is a rare measure, as most officials say they do not recall it being used previously, though one chief remembers seizure being applied in his location in the mid-1960s.

GPT matters are, obviously, of vast import to the administrative officers in Mbere. The DO stated that he ranks a chief, first and foremost, on how he handles GPT collection. Some chiefs say the same for their ranking of their sub-chiefs[4]. It would be easy to accept uncritically the hostile stereotype of the Provincial Administration as being mainly concerned with tax collection and the maintenance of law and order. Our Mbere information reveals that these are indeed major administrative concerns and it would be unwise to underestimate their central position in administrative activity. Nevertheless, these are hardly the only concerns. Moreover, as emerged from discussions with chiefs and sub-chiefs, the lower one goes down the administrative ladder, the more localized, tolerant and lenient the system becomes.

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[3]Up to 31 March 1971, 30 tax defaulters in the division had been arrested and other defaulters had a total of 13 head of cattle and 3 goats seized and sold.

[4]It was announced, mid-1972, that GPT would be abolished w.e.f. 1/1/1973, and that a Sales Tax would take its place.

The maintenance of law and order is certainly important and it is clear that, to some extent, as in the old days, "a quiet division is a good division". But it must not be too quiet; there must be a modicum of non-routine activity in the field of self-help/community development to catch the eye of "higher authority". The Mbere DO rates his second most important task as gathering and reporting information about the people. By this he means, what are the major and/or unusual difficulties in the area and how can these be aided? We found that the DOs time and thoughts were considerably taken up at one stage with seeking ways and means of alleviating a local food shortage due to drought conditions. In short, besides the collection and maintenance aspects of administration, there is a welfare orientation as well.

The DO's attitudes on the relative importance of various aspects of administrative work were partially revealed when asked what qualities make a good chief. The DO listed five features, given below in the order in which he mentioned them:

i. How does the chief collect his taxes?
ii. How does he give information?
iii. Does he co-operate and work well with officers from other departments?
iv. Is he keen on self-help projects?
v. Does he push primary schools and water projects for his location?

The DO states that he tours his division as frequently as he can free himself of office work. He does not make up an advance safari programme since, he states, he likes to "surprise his chiefs". He does require his subordinates to report their movements in advance. The DO reserves Fridays, for on this day he frequently visits Embu town and reports to the DC. Once a month, all the chiefs come to Siakago for a divisional meeting, where they report on events in their locations, both verbally and in writing.

This routine of travelling, supervising, reporting and taking part in an endless variety of meetings makes the DO's day a very full one. There is always some place to go, some one to see, a visitor or two (bothersome researchers included[5]) a letter to write, a report or a file to attend to. For the period 1970-71, the DO received the following sorts of visitors in a typical month: a Minister or Permanent Secretary; the District Commissioner; at least one Provincial and one District departmental head. In addition, there were occasional atypical visitors such as a Bishop, the British High Commissioner, and various researchers. There is plenty to do.

The DO's time is mainly spent with other officials and his dealings with the public are largely official and take place at *barazas* (public meetings) which are held, said the DO, "to remind people of Government policies", and "to inform people about what Government wants". The DO said it was the duty of each chief to hold a locational baraza once a month, though, this schedule is not always kept. There have been an unusual number of barazas

[5]This is no frivolous comment; between August 1970 and July 1971 no less than six individual researchers spent at least one month in Mbere, excluding the present authors, a dozen or so research assistants and 10 short-term visitors.

in Mbere in 1971, many of those due to the necessity of explaining to the people the impending adjudication of land. Land adjudication, of course, is another time-consuming and delicate issue to which the DO must attend. Even with adjudication, however, division-wide barazas appear to be rather rare events.

The DO has other duties of a symbolic nature, especially in connection with important visitors. Arranging a baraza for a Minister may take several days, and when the President visits Embu (which is also the Provincial Headquarters) the Mbere DO can expect to spend the best part of a week helping with the preparations.

In addition, administrative officers have special duties when there is any crisis in their areas. Parts of Mbere have been experiencing a severe food shortage, which necessitates tours, visits, reports and checks on maize distribution by the DO and the chiefs.

In sum, the Mbere DO is an experienced officer possessing a strong belief in the efficacy of administrative exhortation and control. He exudes a confident conviction that Government, and especially the Provincial Administration, have but to select, state and explain a policy and the people will automatically follow – a feeling shared at least in part by the officers of other departments.

This study would be incomplete without some reference to the role of politicians, because the conflict between Provincial Administration and Parliament is a striking feature of contemporary government in Kenya. According to Cherry Gertzel:

> The root cause of the friction that developed between Administrative officers and party officials and Members of Parliament was the fundamental question of leadership: for the decision to use the Provincial Administration as the agent of the executive meant that there were two groups of men in the country each of which believed could legitimately claim to lead the people[6].

In Mbere, at the time of our study, the conflict was certainly present. The conflict was expressed at divisional level in various ways, including political influence on postings and appointments. All these were the direct results of the politician/administrator rivalry, and all were distracting, to say the least, to development efforts.

*Chiefs:*

In the area of Mbere under discussion there are four chiefs. While the chief is next in administrative importance to the DO, the differences in the two offices are vast and significant. The DO is engaged by the Public Service Commission, can expect eventual and substantial further training at Government institutes, starts at £810 a year, and can be – and often is – transferred to any division in Kenya. With increasing frequency, incoming young DOs

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[6]See Cherry Gertzel, *The Politics of Independent Kenya*, 1963-68, EAPH, Nairobi, p. 168.

now possess at least a first degree from a University. DOs, in other words, are part of the national civil service, and in the main, they look upwards and outwards.

Chiefs, on the other hand, are parochial in outlook. They must come from the locations in which they are to serve and where, therefore, they always remain – with virtually no prospect of ever rising higher in the service. Their minimum starting pay is £264 p.a. but their point of entry in the salary scale depends on their qualifications and experience. In Mbere, for example, many chiefs and sub-chiefs were teachers and the latter could expect to start at least on the equivalent of their previous emoluments – one chief started on £390 p.a. Exceptionally a very senior chief, in the highest grade (£678-1188) can earn more than a DO. The main criteria for appointment are literacy in English and being progressive. Advertisements for chiefs and sub-chiefs usually contain some age limitation, 25-40 being a common range.

The present Mbere chiefs were selected in one of two ways. Those appointed in the 1965-67 period went through a combined interview and electoral process; those who became Chiefs pre 1965 or post 1967 passed through an interview procedure only, without any public participation in selection. Prior to independence the selection of chiefs was mainly in the hands of the DC, though there was considerable local variance and in some areas, consultation with the public. Upon independence, it was decided to democratize the process. Throughout the country large numbers of chiefs who had been closely identified with the policies of the colonial regime were "persuaded" to resign and these vacant posts – two of them in Mbere division – were filled by the following method: the post was advertised and all applicants, there were usually more than 20 for every post, were interviewed by a committee composed of the DC, the DO, the Member of Parliament for the locale, the member of the County Council (or members, as the case may be), and representatives of the ruling party, KANU, may have sat in as well. The committee then reduced the number of applicants to a short list of three, rated in order of assessed merit. While elections were part of the process, the final three were submitted for public approval at a location-wide baraza. The three candidates were introduced to the people (and by all accounts there was usually excellent attendance), each man stood in the open, and those who wished to vote for him lined up behind him. By this simple and open method chiefs were selected, though the public choice had to be ratified by the central authorities in Nairobi.

This open postings system was abandoned when the higher authorities felt no doubt that the best-qualified, most suitable and politically-acceptable candidates were not being chosen. At present, the Committee sends its recommendations to the office of the President in Nairobi where the final decision is reached. The first choice of the committee is usually confirmed. It so happens that there is an Mbere Chief chosen by each method.

The backgrounds of the Mbere chiefs are varied, but show some interesting similarities. One had been a policeman, prison warder, trader, KANU Chairman and county councillor before becoming a chief. One had been a teacher and had served on the Embu Council.

Chiefs are provided with basic essentials with which to function; a sparsely-furnished two-room office containing a desk and a small safe for the safe custody of tax money, invariably one room being used as a lock-up where persons arrested for a variety of offences from illegal beer-brewing, to fighting, wife-beating or default of GPT can be detained for up to twenty-four hours before being sent to appear before the divisional magistrate.

Chiefs are provided with a clerk to handle GPT records, correspondence, report writing, and file keeping. Senior clerks are influential, and can earn Shs. 460/- p.m. Chiefs are given a small uniform allowance, but they are not provided with housing, nor are they given transport. However, if they should own a vehicle they can claim a certain amount of mileage for official business each month. A former Mbere chief was able to keep a vehicle running, but none of the present chiefs can afford to do so. In theory, when in real need, the chiefs could depend on transport from the DO's office, but chiefs felt they seldom had access to vehicles. Co-operation over transport is needlessly poor among the various Government departments and the introduction of a minimal amount of co-ordination would lead to a significant improvement. For chiefs this lack of transport inhibits their ability competently to supervise their locations. Country bus services are not well developed in the division except along the Embu-Meru road; while the going is not particularly arduous, but still the Division is not the easiest to walk or bicycle through. All this means that Mbere chiefs simply do not get around their locations as much or as often as they might.

Transport and communications difficulties also mean that sub-chiefs do not visit their chief's HQ as often as might be advisable. Most sub-chiefs try to visit locational headquarters at least once a week, but during the rainy seasons this is not always achieved. The major point is that getting around the locations and communicating with the people is not a simple and easy matter, and this is not always appreciated by those who criticize the lower-level administrators.

With regard to the importance of their duties the Mbere chiefs were divided. Two stated rather emphatically that GPT matters were not the most important; one of these rated education matters as the critical issue of his location, while the second felt that "dealing with the problems and difficulties of the people" was his primary job. A third chief considered his most important task depended on the circumstances of the moment, and while GPT was a running issue, he was also busy with land adjudication and "going around to see what the people are doing". One of the chiefs who felt that the GPT issue was not all that important pointed out that the independent Kenyan Government was both more lenient, and, because it was an African government, much better able to extract tax money from the people.

The chief's position is no sinecure. His role is a critical one in the Kenya administrative set-up. He is the local "broker" who has to translate the demands and services of the national machine into comprehensible local terms. The pressures on him from DO above and the people below are considerable; in particular the local taxpayers expect him to mitigate the governmental demands that filter down to them, and also to secure for the

location a reasonable number of development projects,[7] especially in the fields of education, health, communications and water supplies. Chiefs admitted that they would find it difficult to concentrate on GPT collection to the extent desired by their superiors, and it was implied that chiefs who followed government directives slavishly would be despised by the people. The conflict is hardly as acute as it was during the colonial period, when the chiefs were the interpreters of alien directives, but the frequently-voiced assertion, that all conflicts of this nature have been resolved by independence, is patently false. To many peasants in the rural areas, Government is Government, an extractor of resources and a giver of services, but still something very remote and mysterious[8].

Dealing with peace-keeping problems and encouraging "community effort" are other important tasks of the chiefs. Chiefs, much more so than the DO, are also the primary agents for the settlement of disputes (though aggrieved parties, of course, frequently pursue their case to the courts) and they are the officials to whom one must apply – and pay 10/- for a permit to brew beer. Like the DO, they are involved in the time-consuming routine of a miscellany of administrative duties. Much of the detailed work strikes the outside observer as not very productive, but keeping up reports and records is an essential process if the chief is to receive a good rating, from the DO. A wise chief will see that his location meets the DO's needs for information.

Chiefs, the DO said, should hold barazas once a month. Few of them meet this time-table and one chief openly doubted the wisdom of having a baraza when there is no specific announcement to convey. Most agreed that barazas should be held when there is a need, and not as a matter of course. A former Mbere chief listed the following gatherings which he attended:

a. public barazas at location and sub-location level;
b. sub-chiefs' meetings – once a month, at the very least;
c. DO's meeting with chiefs – quarterly (at that time);
d. location-wide meeting of officials – once every two months;
e. DC's meeting – quarterly; plus
f. special meetings for politicians and visiting dignitaries; and board of Governors' meetings for a secondary school in the location. At the same time he was Chairman of the County Council and the *ex-officio* chairman of all County Council committees.

He stated, and it seems quite believable, that meetings were seemingly endless.

Chiefs must settle disputes on a wide variety of issues. In Mbere, where the traditional fabric of society has been deeply torn, chiefs and other modern officials are often the authorities to whom the people turn. Dowry collection,

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[7]Local MPs are similarly busy seeking to initiate new projects for the benefit of their constituents.

[8]*Cf.* N. Nyangira, "The Role of Chiefs and Sub-Chiefs in Administration in Vihiga", *Stafi Paper No.* 68, Institute for Development Studies, University of Nairobi, April, 1970.

witchcraft problems, circumcision matters, or just plain seeking of advice – these types of requests and discussions take up a major portion of each chief's time. On top of all this the chief has to devote some time to reporting on his subordinates to the DO. The chiefs, who have a feeling of permanency and who regard the DO as a transient figure, said that the pattern of reports varied; some DOs wanted lengthy and detailed comments; others wanted sparse recommendations.

During our interviews few chiefs volunteered much information about self-help activities. (Sub-chiefs, as will be shown, had more to say on this matter.) When questioned, it was generally agreed that self-help schemes were important, but most felt that the focus of self-help action was on the sub-location level. Chiefs give receipts; check on collection activities, and see to it that proper documents have been obtained from the DO. There are a few location-wide activities, but the most popular self-help action is on schools, dispensaries and water projects, usually at sub-location level. As elsewhere in Kenya there is great difficulty in Mbere in staffing and equipping the self-help projects, once completed. One specifically Mbere problem is that though teachers can be found to staff newly-completed primary schools, there is a great shortage of water with which such schools can be supplied. Thus, some buildings stand empty.

The chiefs, then, have a most difficult job. With only minimal logistical support, with great transport and communications difficulties, and saddled with a routine which takes up the bulk of every day it is not at all surprising that they are not only widely regarded as dynamic generators of economic and social development. Indeed, the truly surprising feature of Mbere chiefs is the extent to which, in the midst of a heavily-constraining system, they actually do function at least partly, in a developmental sense. They *do* (under pressure from MPs and DO) push self-help activities; they *do* attempt to secure Government services for their locales; they do not – even though they are obviously far wealthier than the average peasant – appear to act in a manner inconsistent with local norms. That their success in their non-routine tasks is marginal should not be a surprise, given the background of the chiefs, the difficult conflict position they are in, and the level of support given to chiefs by the system.

Chiefs, and indeed sub-chiefs, though to a lesser extent, tend to be highly progressive men, ambitious for themselves and their families. Thus it is not uncommon for chiefs to spend part of their time on their own farms and business enterprises (shops, bars, transport). Although their official commitments are considerable, demands on their time fluctuate, and thus allow them to spend part of their day on their own activities. Chiefs are usually even more concerned about education of their children than are their people. We do not suggest that chiefs' official duties are neglected, but wish to stress the correlation between commitment to modernisation (business, cash, education, jobs) and the sort of person who becomes a chief.

*Sub-Chiefs:*

Much of what we have said about chiefs also applies to sub-chiefs, so we shall more briefly summarise their duties, difficulties and position.

From 1964 to 1968 sub-chiefs, like chiefs, were elected. They are now generally appointed. Most of those in Mbere have completed at least primary education. Many have had a short training course either on appointment or after a period on the job. It is customary for all sub-chiefs (except for the most isolated ones in the rainy season) to attend weekly meetings at the Chief's Camp. The practice varies according to the chief concerned, the state of the roads, the amount of rain and the urgency of matters to be discussed.

Sub-chiefs have been paid since about 1945; their salaries start at about shs. 250/- p.m. They are encouraged to retire at 50 years old, though some are older. They are not provided with a house, but do receive a uniform allowance (uniforms are worn only for formal occasions such as a DO's *baraza*) and a bicycle allowance. They are always from the sub-location they represent. Sub-locations vary greatly in population, area and density, and in the extent of development. Yet even in one of the most remote and most sparsely populated, the sub-chief said (on being asked what the major needs of his area were) "Roads, water, dispensaries – any child would tell you that"

Sub-chiefs are concerned, then, with:

a. Tax;

b. Law and order – reporting crimes, making arrests, keeping the peace;

c. Organising self-help projects, especially for schools, sometimes for roads. Most self-help projects are in his sub-location, but a sub-chief may be asked to participate in a location-wide project, such as a *Harambee* school, or even to organise a voluntary contribution to a water project located outside the division;

d. Land – recently impending land adjudication has taken much time.

e. Miscellaneous matters such as: runaway children, organising elections (usually supervised by the DO), passing on applications for beer permits (to chief) or trading premises (to area council), issuing burial certificates (a primary school headmaster is usually appointed as registrar of births and deaths).

The frequency of visitors to a sub-chief depends on the sub-location's relative accessibility, economic and political importance. Some sub-locations may receive only one or two official visitors in a month, others may receive a visitor nearly every day. Sub-chiefs organise barazas when requested by the DO, AAO (Assistant Agricultural Officer) or other officials, and occasionally on their own initiative.

Sub-chiefs are helped by *Njama* (village elders) who are sufficiently important in the administrative system to merit some description. They were traditional village elders, acting as representatives of the village in dealings with the outside world. During colonial rule *njama* were recognised, but, as now, unpaid; they benefited from the meat and beer that their office brought. But with the falling away of the traditional oath, fewer goats are

ritually killed and fewer gourds of beer presented. A contemporary *munjama* is said to enjoy his position because:

a. he has power.

b. he still receives minor gifts, such as a small quantity of beer;

c. he has a preferential position if any perquisites are available; and

d. his tax may well be remitted.

His duties are to assist the sub-chief in every way, especially acting as a link between the village and the outside world. As one chief said, "*njama* provide a very useful network of informers". They report assaults, tax defaulters, sick cattle, deaths; they attend all barazas; they authorise circumcision rituals and arbitrate in minor domestic disputes.

Though not an hereditary office, *njama* tend to come from the dominant clan in the village. A sub-chief can "tell the people to choose another man if their *munjama* is unsatisfactory".

# Reform Proposals for the Venezuelan Public Administration (1972)

By ALLAN-R BREWER CARIAS

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## National Public Administration Reform – What it Involves

Under the provisions of Decree No 103 of July 23, 1969, the Public Administration Commission was entrusted with the task of presenting to the National Executive Branch of the State an Administrative Reform Plan, and preparing the elements of an overall policy for the management of the public service.

Towards this end, the Commission was asked to submit plans and proposals for:

(a) *restructuring* the Public Administration system at all levels and in all sectors, together with para-statal bodies and other public agencies and autonomous institutes, so as best to meet the needs of economic and social development planning;

(b) *improving* the systems, methods and procedures used in public administration;

(c) *re-organising* functions of the public service so as to achieve an effective co-ordination, deconcentration and decentralisation of the administrative structure;

(d) *establishing* the procedures required for a system of administrative law;

(e) *establishing* new institutes, centres and schools, or improving existing such institutions, so as to provide a better system of staff training;

(f) *drafting* a new public service law so as to ensure improved salaries and general conditions, and adequate social security, for the civil service;

(g) *effecting* any other administrative reform that may appear necessary.

The Public Administration Commission's Governing Board, appointed in 1969, outlined an administrative work plan for programming the reforms and laying down the fundamentals of public administration policy. The action taken included the drafting of an Administrative Career Law, dealing with career prospects for administrators, which was enacted in September of the following year.

The National School of Public Administration was reorganized and development and training programmes for public employees were redefined with the overall purpose of establishing a national development and training system for all public servants.

Methods and techniques for improving the efficiency of public service began to be promoted and implanted in the different public agencies, and fundamentally, programming of the administrative reform was undertaken. This in turn prompted the drawing up of the Report on National Public Administration Reform referred to in this article, which was submitted to the President of the Republic in June 1972[1].

The technical teams of the Commission worked for more than two years in the preparation of this report as well as on several other activities connected with advice on administrative matters to public bodies which form the Public Administration. However, drawing up the Report was only one of the very important steps taken up to now for complying with the administrative reform policy defined in the Government Programme. This programme, which was placed before the electorate in 1968, by the President of the Republic, Dr. Rafael Caldera, was given concrete expression subsequently in the several decrees issued during the year 1969, and in the Presidential Instruction[2], which laid down general guidelines for the national public administration reform effort.

It should also be clearly stated here that there is consensus in the public sector of the country regarding this reform, especially among politicians. For this reason, the Public Administration Commission attaches great importance and political meaning to the repeated statements of the President of the Republic, in the sense that work on public administration reform programming being carried out during his tenure (1969-1974) will be his chief legacy, in this field, to future governments of the country, since it will be they who reap the benefits accruing from the Report. It is hoped, too, that the Report will serve as a guideline not only for the successive development of administrative institutions, but also in the reform effort of existing ones[3].

## General Criteria for Reform Proposals: Development Administration

The tasks of programming the adminstrative reform and therefore, the Report, are aimed at satisfying the new demands of development administration, and consequently, they depart radically from the conceptions of traditional administration and mere administrative performance. The search for a Latin American concept of public administration and its role in the development process, and the refusal to accept models and schemes imported from other countries outside the region, have been perhaps the most important criteria guiding and conditioning our work.

Thus, the role of the State in the development process of Latin American countries and their progressive configuration as "Social Legal States"

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[1]Comisión de Administración Publica, *Informe Sobre la Reforma de la Administraction Publica Nacional*, 2 volumes (645 and 621 pp.), Caracas, 1972.

[2]Instruction RA-1 of 13 May 1970 published in *Gaceta Oficial* of the same date.

[3]In general terms, in his political programme for the 1973 elections, the President of the Republic, C. A. Pérez, followed similar criteria for Administrative Reform to those of the 1972 Report, and in his inaugural speech in March 1974, he promised major action in the execution of the proposals.

transforms public administration into the principal agent and the most important instrument of the State intervention in public affairs. Public Administration must be restated in its new conception and function in order to overcome the *laissez-faire* attitudes inherited from the last century liberalism, but now discarded. This is, in reality, the orientation of the Report.

In the analysis of the Venezuelan Public Administration from this new approach, some key criteria have been used, which need to be defined: on the one hand, the system criterion for formulating all structural and functional reform proposals and, on the other, sectorization and regionalization criteria for public activities.

**The system criterion**

This has been understood as the harmonious and coherent set of standards, bodies and procedures for enabling public institutions to fulfil their objectives effectively through an adequate use of inputs. Upon application of this criterion to the different aims of the State as defined in the "public activity sectors", it was found that several institutions in the public administration field were not integrated in a coherent and orderly manner for achieving the public goals sought in the best way.

Thus, upon identification of the sectors of public activity concerned with particular aims, it was proposed that all bodies performing similar functions should be integrated within each sector. A sectoral system, in this case formed by a Ministry as the central body administering a sector and the institutions concerned, would have responsibilities extending over government agencies, autonomous institutes, public enterprises which are executive agencies for the implementation of public sector policies.

Similarly, the system criterion was applied to the different instrumental functions which the Administration must perform to reach any of its goals – advisory or instrumental functions identified through planning, budgeting, statistics, government accounting, government purchasing and supply, public communications, data processing, etc. The integration was proposed of all bodies participating in activities so identified – in this case, an instrumental or functional system – formed by a central body located in the Presidency as a rule, and exceptionally in the Treasury, and also by agents located in the several public bodies carrying out activities in different sectors. In this sense, both the reform proposals of the administrative structure and of the functioning of the public administration are permanently guided by the objective of establishing adequate sectoral and functional or instrumental systems.

**The sectoralization criterion**

The sectoralization criterion emerged from study of the aims of the State as established in the 1970-74 Plan of the Nation, according to the approach and interpretation of the role of the State as the leader of the economic and social order. In this sense, four basic functions of the Venezuelan State have been identified, which shape it as a social mixed-economy State in its own right. First, the political, defence, and public security functions of the

modern State; second, "economic development" functions belonging more to the transition period from the *laissez faire*-liberal State to the law-abiding modern-style administrative State; third, "social development" functions characteristic of that growing responsibility, the means whereby the social order of the Latin American State will be moulded; and fourth, "physical and environmental development" – the physical and regional development functions required by the national integration effort so characteristic of our present stage of development. Each one of these basic state functions make up the following coherent public activity groups called "public sector activities".

Each of these four groups includes a number of important sectors. Under "political, defence and public security" come: internal political relations; external affairs; defence; justice. Under "economic development" come: finance; industrial development; commerce; tourism; petroleum and mining; agriculture and livestock development. Under "social development" come: social promotion and protection; cultural development; labour affairs; social security; education; health. Under "physical and environmental development" come: urban development and housing; transportation; communications; and renewable natural resources.

In accordance with the foregoing definition of the twenty sectors as forming the "coherent public activities" of the State, all structural and functional reform proposals contained in the Report are conditioned – in the structural field, by the integration and organization of the different institutions as already explained; and in the functional field, by sectoralization of the planning, budgeting, statistical, accounting, etc., systems, and in consequence by their progressive decentralization in certain cases.

**The regionalization criterion**

Besides the systems and sectoralization criteria, the third criterion which has guided the Commission's work has been that of regionalization. This involves progressive and orderly deconcentration of national public activities – traditionally centralized – towards the eight administrative regions into which the country has been divided, thus obtaining an increasing participation of the States of the Federation and Municipalities in the national development process. It can be seen, then, that the regionalization criterion is also an essential part of the functional reform, since it also demands the progressive regionalization of instrumental or functional systems, among others, and mainly that of planning.

In accordance with the three criteria – systems, sectoralization, and regionalization – the report lays down the basis for an Administrative Reform Plan in three fundamental aspects: the reform of administrative structures, reform of the functioning of the public administration, and reform of the legal regime of the public administration.

**The Reform of Administrative Structures**

The Structural Reform, as defined in the Presidential Guidelines Instruction, "must undertake the study and subsequent adaptation of the organizational structure of the different public bodies to the programmes and

functions assigned to it in the economic and social development process. This revision and adaptation must be done with sectoral-oriented vision". In conformity with this and according to the fundamental criteria previously described, a diagnosis of the national public administration structure was undertaken leading to a series of reform proposals contained in the Report, affecting the agencies of the Presidency, of the Ministries, and of the regional administration.

**Agencies of the Presidency**

With reference to the Agencies of the Presidency of the Republic, their integration into two ministries of the Presidency (whose creation is proposed) has been suggested: there would be the Ministry of the General Secretariat on which would depend the central personnel office and the central information office, as central organs of the personnel administration system and of public communications; and the Ministry of Planning and Co-ordination on which would depend the Central Planning Office, the Central Budget Office, the Central Statistical Office, and the National School of Public Administration, as the central agencies concerned with planning, administrative reform and training, with budgeting, statistics, and data processing[4].

With regard to the Council of Ministers, the creation of four permanent commissions has been recommended, corresponding to the four groups of public sector activities defined, and each presided over by the President of the Republic. These would have the same powers of decision as the Council of Ministers, and would leave the latter free to fulfil its proper function as the main national policy-framing body.

**The Ministries**

The reform of the Ministries as proposed in the Report, rests on two fundamental criteria: (i) the strengthening of the ministerial structure, fundamentally for transforming the ministries into the central bodies of the sectoral systems – a strengthening especially necessary in view of the administrative deconcentration recommended – and (ii) the sectoralization of public activities based on the twenty sectors previously defined.

Following these two criteria, the Report proposes the structuring of sixteen Ministries, each one responsible, as a central agency, for one or several sectoral systems. They would be ministries for: the Interior; Foreign Relations; Defence; Justice; Treasury; Industry (for the industrial development sectors); Commerce (domestic and foreign) and Tourism; Mines; Agriculture and Livestock; Natural Resources Development; Social Development; Labour and Social Security; Education; Health; Housing and Urbanization; Transportation and Communications.

However, pending the adoption of the macro-administrative provisions provided for in the Report, several micro-administrative internal reform proposals are being put forward and many have been adopted in the Ministries.

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[4]In March 1974, a Minister of State for Planning and Co-ordination was appointed, with the task of implementing these reforms.

These are also covered by the Report. In this micro-administrative field, the criteria which have governed the propositions mentioned have been the concentration of functions previously dispersed during the disordered internal growth of the present ministries; delegation of responsibilities; and re-definition of administrative action levels.

**The decentralized administration**

On reform of decentralized administrative bodies, the Report contains an exhaustive study of autonomous institutions and other public establishments and public enterprises, highlighting not only their present situation, their development, their different legal status and their functional and economic importance; but fundamentally the deformation which decentralized administration has undergone and its consequences. Outstanding among the latter are the administrative results derived from the inadequate distribution of programmes among Ministries and decentralized agencies; the lack of co-ordination between various decentralized bodies; duplication and overlapping of functions among them, and the disintegration of decentralized administration in the planning system.

On the basis of the analysis, and apart from the reform measures undertaken before the Regulation on co-ordination, administration and control of Autonomous Institutes was passed early in 1970, the report contains a series of reform proposals guided by the following criteria: introduction of the most appropriate legal forms for the different agencies, the concept of autonomous patrimony; sectoralization of activities; promotion of adequate relationship and programming dependence on the Ministry axis of the corresponding sector, strengthening of the central (ministerial) administration in relation to the decentralized bodies; and establishment of their most convenient means of control.

**Regional administration**

As has been pointed out, the structural reform is not confined to the central administration, but also embraces regional administration. Therefore, the Report makes a complete analysis of the administrative regionalization process[5] which, apart from having guided the reform through the later Regulation of Administrative Regionalization[6], provides for progressive development of regionalism.

It has also been said earlier that development of the administrative regionalization process has been going on with a view to effecting an adequate deconcentration of decision-making power of the national authorities towards the regions, as well as finding a place for participation by local politico-territorial entities in regional decision-making. Hence, the Regional Government Committee introduced in the recent Regulation on Administrative Regionalization, with the active encouragement of the Governors of each State within the region, is an embryonic body which is likely to grow with the regional administration and government of the future.

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[5]Decree No. 72 of 11 June 1969 published in *Gaceta Oficial* of 12 June 1969.
[6]Decree No. 929 of 5 April 1972 published in *Gaceta Oficial* of 18 April 1972.

In any case, it must be stated that the structural reform proposals formulated with sectoral criteria in the Report in relation to the Ministries and decentralized bodies, will be followed by several sectoral reports of particular and detailed nature, now being prepared by the Public Administration Commission. These sectoral reports, through the exhaustive diagnosis of each sector, will be the logical development of the criteria established in the Report.

**Public Administration Functional Reform**

The Public Administration Commission is alive to the fact that public administration reform is not being exhausted by the reform of its administrative structures alone. There are equally important facets for consideration in administrative systems, procedures and methods, and adapting them to new techniques for the proper functioning of the various agencies.

Accordingly, the Report has studied in detail the present operations of the different functional or instrumental systems of our public administration and offers a series of reform measures for the planning, budgetary, statistical, public accounting, public communications, and purchase and supplies systems.

The Report does not include reform proposals for the personnel administration system, inasmuch as the Public Administration Commission's work in this field, developed during the Sixties, concluded with the preparation of the Project for the Administrative Career Law of 1970 under which the Central Personnel Office was established as a separate agency from the Commission.

The fundamental criterion guiding the reform proposals has been the establishment of a central body for each sector, located ordinarily in the Ministries of the Presidency of the Republic, and exceptionally, in the Ministry of the Treasury, and of a series of institutional or sectoral units integrated into each system. This is definitely the most important consequence of the use of the system criterion in the analysis of the operation of the public administration.

**The planning system**

Regarding the planning system which was initiated in Venezuela with the establishment of the Central Co-ordination and Planning Office, in 1958, the report makes a complete analysis of its present status, and formulates a series of proposals for its reform and improvement in the light of the experience of previous years. These proposals refer fundamentally to the need for breaking down the planning process into sectors and regions – giving a greater participation and control in the elaboration of the Plan to the central bodies of the sectoral systems and other units of each sector, and to the regional authorities.

Furthermore, the proposed reform of the planning system necessarily poses a large measure of involvement with the budgetary, statistics and administrative reform systems. Hence the proposal for restructuring the Presidential Ministry of Co-ordination and Planning, to which reference

has been made, and the decision already approved for installing in each Ministry a Planning and Budget Office, with responsibilities also for the statistical and administrative reform functions. Finally, with regard to the elaboration of the Plan, the Report suggests a series of mechanisms and formulas for involving in the planning tasks not only the different national and regional administrations of each sector, but particularly the political bodies representative of the different administrative levels of the country.

**The budget system**

Complementing the reform of the planning system, the Report has analyzed in detail recent reforms of the budgetary system, especially with reference to the adoption of programme budgeting. As a result, special reference has been made to the reforms of 1971 whereby the existing duality between a traditional budget incorporated in the Law and a programme budget included in the annexes to the Law, was eliminated. Instead, a programme budget was integrated within the Budget Law itself.

The reform proposals submitted highlight those contained in the Project for the Organic Budget Law: basically they tend to convert the programme budget into an annual instrument of implementation for the national five-year plan, consolidating this measure of integration through the instalment of the Central Budget Office in the Presidency's Co-ordination and Planning Ministry, and the transfer of the National Budget Division (now an appendage of the Treasury) to the Presidency. We would like to stress that the standards set by the said project seek to change the rigid *annual* shaping of the budget – above all in the manner in which public servants are rewarded.

**The statistical system**

The Report also poses the reform of the statistical system in order to fulfil the requirements of development planning. In fact, analysis of the statistical function has shown the need for structuring it system-wise, with a central body, in which the Central Statistical Office would form part of the Co-ordination and Planning Ministry of the Presidency of the Republic, transferring to the Presidency the present General Division of Statistics and National Census, now located in the Ministry of Development.

The reform proposals for the statistical system contained in the Report, are also guided by the need for decentralization through the creation of sectoral and regional offices. In any case, as an immediate measure for reform, in 1973 there was created, in accordance with the Report, a National Council of Statistics to continue the work done by the Statistical Affairs liaison Committee, set up in July 1972 by the Central Co-ordination and Planning Office.

**The Public Accounting System**

The reform of the Public Accounting System has also been subjected to analysis in this Report. In fact, the diagnosis has shown that public Accounting in Venezuela is not carried on in a systematic way by the National Executive Branch, since centralization and auditing of accounts falls entirely to the General Comptrollership of the Republic by the Organic Law of the National

Public Estate, for the purpose of fiscal control. The new planning and programme budget techniques, and the importance assumed by modern accounting as an administrative and decision-making tool, indicates, however, (without detracting from the value of the Comptrollership), the advisability and the need for placing public accounting responsibilities squarely on the Executive Branch. Hence, the Report proposed that a National Accounting Division would be set up in the Ministry of Finance as central agency for overseeing and controlling, at the Centre, all accounting information coming from the different agencies of the national public administration. The creation of that National Accounting Unit took place in 1973, associated with the General Public Finance Unit of the Ministry of Finance.

**The public communications system**

As to the reform of the system of communications with the public, the Report is in line with the most recent directives of the President of the Republic on relations between the public administration and the general public. Not only does it contain a diagnosis of the present position, but it also proposes a series of reforms intended to provide a two-way system of communications so as to enable (a) the administration to gain an adequate view of the relationship of the citizenry with the public services the administration renders, and (b) the private citizen to gain an exact knowledge of what the public sector offers to him. Thus, the Central Information Office, in the General Secretariat of the Presidency, will assume the role of central body for this two-way communications system – downwards *to* the public and upwards from the public (complaints and claims); in addition the CIO will continue to direct all other state communications media.

**The purchase and supply system**

The Report also covers the reform aspects of the government's purchasing and supply system, upon which the Public Administration Commission has been working for several years. It can be said that up to now it has been impossible to integrate within one system both the acquisition of necessary goods and the acquisition of supplies, for the execution of plans and programmes. For this purpose the Report proposes the establishment of a Division (in the Treasury) for Rationalizing Public Expenditure which would assume the function of a central body for the government's purchases and supply system; and as an immediate measure for initiating the reforms, the setting up of a National Purchase and Supplies Council at the Treasury has been proposed.

**Data Assembling**

On reform of the system of data compilation the Report has analyzed the present status of automation and data processing in the public sector, and has reviewed the reform measures introduced since 1965 when the Computation Consultative Committee of the Public Administration Commission was created. The Report highlights the importance of the decision adopted recently by the Council of Ministers, establishing, for the whole administration, a standardised set of minimum conditions for rental contracts

in respect of automatic data processing equipment; a measure which was later recommended to all of the Latin American Governments by the Second Conference of Government Authorities on data processing held in Mexico, in April 1972. As a basis for reforming data compilation, the Report proposes the establishment of a Central data Office in the Co-ordination and Planning Ministry of the Presidency which would assume, on a wider scale, the functions of the present Computation Consultative Committee, not only as the central body of the system, but also as government authority on data assembling.

Finally, in relation to the reform proposals for all processing and functional systems, we must show their importance to the relevant sectors or institutions, as well as the regions where they are integrated. Hence, some measures have been undertaken, among them, the setting up of a Planning and Budget Office in all Ministries, to function as a sectoral or institutional body for the planning, budgetary, statistical, and administrative systems, as the case may be.

The personnel, information and public relations offices, together with the administrative departments and the data processing centres have each in turn been structured as sectoral or institutional bodies.

### Reform of the Legal Regime of the Public Administration

But reform of public administration, as it was summed up and developed exhaustively in the Report, in order to be adequately and fully implemented, needs a sound legal basis which at present is deficient. In fact, the legal system of the Venezuelan public administration requires urgent reform and reformulation to enable it not only to attain its goals fully, but also to guarantee under the law the citizens' rights *vis-à-vis* the Administration. Hence, aside from all reforms springing from those proposed to structures and sectoral functional systems, the Fourth Part of the Report deals with the reform of the Legal basis of the Public Administration of Venezuela and contains, with commentaries, the projects of the National Public Administration Organic Law, the Organic Law of Decentralized Bodies, the Law of Administrative Procedures, the Organic Law of Administrative Jurisdiction and the Law of Constitutional Jurisdiction.

### The Organic Law Project of the National Public Administration

In fact, from the organic standpoint and in relation to the central administration, the 1950 organic Statute of the Ministries requires an urgent reform to enable it, through the Organic Law of the National Public Administration, to integrate itself adequately into the ministerial structure, and also to regulate the agencies of the Presidency of the Republic, many of which still lack standards applicable to their complete management. In this sense, the National Public Administration Organic Law Project commented and published in the Report, regulates not only the structure and functions of the Presidency of the Republic, of its agencies and of the Ministries, but also the regimen of administrative activities and its competence, the administrative and regional deconcentration, the records of the public adminis-

tration, as well as the responsibility regimen of the national public administration.

### The Organic Law Project for Decentralized Bodies

On the other hand, the Decentralized Bodies Law Project aims at controlling and regulating the functions of autonomous institutes, public enterprises, etc., which up to now have not been subject to coherent regulation in our judicial system.

### The Law Project for Administrative Procedures

The system of Administrative Procedure has been provided for in the Administrative Procedures Law Project and is also referred to in the Report, which considers its approval would be a major step towards achieving the integration of the legal system of the Republic. A regulation of this type seeks to standardize, in a general way, not only the system of administrative procedures, their formation and revision, but particularly also, the administrative means to ensure the revision of the acts concerned.

### The Organic Law Project for Administrative Jurisdiction

The Report also discusses two projects of legal regulatory bodies dealing with the individual rights of citizens *vis-à-vis* the administrative acts of government departments and government servants of unique importance: the Administrative Jurisdiction Organic Law Project and the Constitutional Jurisdiction Law Project; their promulgation is urgently required in our country.

The first aims at developing by law the contents of Article 206 of the Constitution which gives the Administrative Jurisdiction the power to nullify general or individual administrative acts which are *ultra vires*, including those resulting from a misuse of powers, and the authority to compel the Administration to indemnify those entitled to compensation for damage resulting from state-responsible activities, and to restore the *status quo* to any situation affected by the administrative activity. This Law Project, if approved, would fill a great void in our legal system, since at present, the subject matter is scarcely touched on in the Federal Court Organic Law, still in force. Nonetheless our Judiciary has developed an abundant doctrine of jurisprudence which must now be gathered and regulated via legislative means.

### The Law Project on Constitutional Jurisdiction

The Constitutional Jurisdiction Law Project, if approved, would also fill a legal vacuum by regulating the means and mechanisms of appealing to the Supreme Court against legislative acts of the national, state and municipal representative bodies, executive regulations, and acts of Government carried out by the national executive. This Law-Project also draws on the rich tradition of jurisprudence established by the Supreme Court during the last decade, in matters of deciding on the constitutionality of laws and other legislative acts.

**Conclusion: Administrative Reform-Future Instruments**

Administrative reform activities in Venezuela as oriented by the President of the Republic in his Presidential Instruction RA-1 of May 1970, constitute a systematic and permanent process which does not conclude with any of the stages accomplished up to now, but on the contrary, each stage which has been completed gives rise to new administrative changes needed which must be faced and solved. Hence, the Governing Board of the Public Administration Commission is aware that although with the elaboration of the Report on Reform of the National Public Administration it has accomplished a very important stage in the administrative reform process, this in reality has given rise to new projects, ideas and reform needs which must be carried out, developed and satisfied in the future, as part of its permanent task[7].

[7]By Decree of 22 March 1974, a new Presidential Commission for Public Administrative Reform was created, with the main task of implementing the proposals of the 1972 Report.

# Ombudsman for Caribbean Government

## —with particular reference to Guyana

By LEROY JACKMAN

Mr. Jackman, a former UN Human Rights Fellow, is Secretary to the Office of the Ombudsman in Guyana.

GUYANA was the first country in the Western Hemisphere and the first developing country to establish an Office of Ombudsman. In so doing she followed in the footsteps of Sweden (1809), Finland (1919), Denmark (1954), Norway (1962) and New Zealand (1962).

Since Guyana established its Office in 1966 several other countries have followed suit. In 1967 Britain and Tanzania established Offices, so did the provinces of Alberta and New Brunswick in Canada and the American State of Hawaii. Mauritius which had legislation framed since 1965 appointed an Ombudsman in 1969 whilst Fiji in its new Constitution has made provision for the appointment of an Ombudsman who has not yet been named.

The institution continues to be discussed in Canada and the United States of America, in Africa, in India, in Holland and in Israel.

One is led to ask why the widespread interest, what useful purpose can the institution serve? Is it easily transplanted, and can it be adapted to serve the Caribbean governments? To answer these questions adequately one has to examine the nature of the institution and the need it is meeting in modern societies.

Professor Donald Rowatt of Carleton University in the preface to the second edition[1] of his book "The Ombudsman" has listed three essential features of the original Ombudsman systems and these give in essence the nature of most of the Offices.

These are:

(1) The Ombudsman is an independent and non-partisan Officer of the legislature, usually provided for in the Constitution, who supervises the Administration;

(2) he deals with specific complaints from the public against administrative injustice and maladministration;

(3) he has the power to investigate, criticize and publicize, but not to reverse administrative action.

The three factors mentioned give a good guide to the Ombudsman's functions. They may be regarded as prerequisites of his proper functioning.

[1] *The Ombudsman – Citizen's Defender*, ed. D. C. Rowatt, p. xxiv, London, George Allen & Unwin, 1967.

In the first place he has to be an independent and non-partisan officer of the legislature. That is to say, always assuming we are dealing with a two-party democratic State he must have the support of both parties of the legislature or in other words he must have the support of Parliament. Parliamentary support is crucial for the success of an Ombudsman so much so that two of the most successful Ombudsmen, those in New Zealand and in Denmark, have both stated that they would not have accepted the appointment if they did not get full parliamentary support. Indeed, the Danish Ombudsman has stated specifically that:

> ". . . A condition for the due functioning of the new institution has been that it enjoys the confidence of Parliament . . ."[2]

Then again a country has to decide whether it wants to entrench its Ombudsman provisions within its Constitution. The decision to entrench or not to entrench would depend on the country's constitutional traditions. For instance, Guyana has provided for an Ombudsman in its Constitution[3] whereas, New Zealand has not[4].

As regards the second characteristic enumerated by Rowatt, we have to note that the Ombudsman deals with specific complaints from the public against administrative injustice and maladministration, that is the person or body of persons who complain must be aggrieved. But the fact that the Ombudsman receives specific complaints from the public does not preclude his carrying out an investigation on his own motion. Indeed, the fact that an Ombudsman can carry out an investigation on his own motion characterises the activity of almost every office-holder.

Finally, the Ombudsman must have full powers of investigation; only documents of the strictest secrecy should be denied him. Having been given the means of full investigation he should then be able to publicize his findings so that the public can know the result. We see, therefore, that the Press has an important part to play in making the Ombudsman effective, and the good relationship between the Press and the Ombudsman in certain Scandinavian countries points the way for other countries to follow.

It is to be noted that the Ombudsman has no executive authority to reverse an administrative decision. His chief weapon is persuasion coupled with publicity. And in the case of recalcitrant administration, he is able to send a special report to Parliament. But an Ombudsman seldom finds it necessary to use his ultimate weapons. Normally, he is able to persuade administrators to change their course in the early stages. In this regard there is an interesting article written by an American "Ombud" scholar about the New Zealand Ombudsman[5]. That Sir Guy Powles, the New

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[2] *Vide* "The experience of parliamentary Commissioners in certain Scandinavian countries", Dr. Stephen Hurwitz, Danish Ombudsman, in *Remedies against abuse of administrative Authority*, U.N., New York, 1964.

[3] *Guyana Constitution Order*, 1966.

[4] *New Zealand Parliamentary Commissioner (Ombudsman) Act*, 1962.

[5] "The authority system of the New Zealand Ombudsman," by Dr. Larry Hill in *Political Science Quarterly*, 1968.

Zealand Ombudsman, lawyer, soldier and former diplomat has supreme persuasive powers no one who has seen him in action could deny. And, incidentally, this emphasises another factor which makes for success of the system, that is, the personality of the Ombudsman.

The institution of Ombudsman has been called into being, that is to say, an institution hitherto confined to Scandinavia has spread throughout the world because it has come to be recognised that in democratic countries, whether developed or underdeveloped, some added safeguard is needed to protect citizens from administrative injustice. The powers of the State have not only grown in the developed world, constituting what one writer has called the "administrative state" and what others call the "welfare state" but also in the newly-independent countries where governments have been forced to do more and more to provide their citizens with the good life and where private enterprise is minimal, and there are no other agencies to provide the much-demanded services.

The Right Honourable Lord Shawcross expressed the phenomenon adequately when he said:

> "In the ever-growing complexity of the modern state, the interventions of central and local government into the lives and affairs of the ordinary citizen, inevitably multiply. For the most part, no doubt, these interventions are for beneficient purposes and have beneficient results. But the nature of governmental and local governmental activity is now such that large areas of discretion are created in regard to all sorts of matters affecting the lives and rights of ordinary people in varying degrees. The general standards of administration in this country are high, probably higher than in any other. But with the existence of a great bureaucracy there are inevitable occasions not insignificant in number, when through error or indifference, injustice is done – or appears to be done. The man of substance can deal with these situations. He is near to the establishment; he enjoys the status or possesses the influence which will ensure him the ear of those in authority. He can afford to pursue such legal remedies as may be available. He knows his way. But too often the little man, the ordinary humble citizen is incapable of asserting himself . . . The little man has become too used to being pushed around; it rarely occurs to him that there is any appeal from what 'they' have decided. And as this Report[6] shows too often in fact there is not."

Lord Shawcross was speaking there of the need for an Ombudsman in the United Kingdom and the Justice Report which is quoted formed the basis of the legislation which established a Parliamentary Commissioner for Britain (*Parliamentary Commissioner Act*, 1967).

Unfortunately, the British, in an effort to preserve the doctrine of ministerial responsibility and in an endeavour to preserve the authority of Members of Parliament devised a truncated form of the institution.

In the United Kingdom an aggrieved citizen cannot complain directly to the Parliamentary Commissioner, as he can to the New Zealand Ombudsman

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[6] "The Citizen and the Administration," Justice (U.K.), Stevens, 1961.

and the Guyana Ombudsman, but he must send his complaint to his Member of Parliament who will then pass it on to the Parliamentary Commissioner if he (the M.P.) cannot deal with it.

Many commentators have criticised the unwarranted muzzling of the Ombudsman. Among these are Professor Rowatt who has stated that:

> "The limitations placed upon the Commissioner's scope and powers by the Government were greeted with a good deal of criticism by the Press in Britain. He was amusingly described as a 'muzzled watchdog', a 'crusader without a sword', and 'Ombudsmanque', an 'Ombudmouse'. Because the 'Ombuds omissions' were so blatant it was even suggested that the date he took office, April 1st, was significant. Certainly Britain seems to have adopted the plan in an unnecessarily truncated form. If the argument is that the Commissioner's powers can always be extended later, the answer is that once approved or created, a law or institution acquires a great deal of inertia which makes it difficult to change."[7]

Despite the serious limitations under which the Parliamentary Commissioner operates, however, the benefits of his work are recognised – as attested by a writer who has made a survey of his work since he was established. Paul Jackson, Senior Lecturer in law at the University of Birmingham writing in *Public Law*, has said, after reviewing the limitations under which the Parliamentary Commissioner works:

> "Fortunately, however, there seems little to put against the advantages of having a Commissioner."[8]

The Office of the Ombudsman in Guyana was established on the recommendation of a team from the International Commission of Jurists which came to Guyana in 1965 to investigate and report on alleged racial imbalances in the public service and other areas of national life[9]. Primarily the Commission was concerned with complaints of racial discrimination among Guyana's multi-racial population of some 750,000. The International Commission of Jurists did not specify how the office should operate but it pointed to a recent report prepared by Professor S. A. De Smith when he acted as Constitutional Commissioner for Mauritius and advised that Guyana study the proposals for Mauritius carefully with a view to implementing them since both Guyana and Mauritius were multi-racial societies. The Report said:

> "We do not think it is possible to be specific as to the nature of the organ of investigation until the matter has been more fully considered and the views of the interested parties obtained. All we can say at this stage is that we consider it necessary that there be instituted a summary inexpensive and easily available authority with the duty of investigating and reporting

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[7]D. C. Rowatt, Ed. *The Ombudsman*, p. ix, George Allen & Unwin, London (1967).

[8]"The work of the Parliamentary Commissioner for Administration – Paul Jackson – *Public Law*, Spring, 1971, p. 39.

[9]Report of the British Guiana Commission of Inquiry Constituted by the International Commission of Jurists, *Racial Problems in the Public Service*, I.C.J., Geneva, 1965.

on complaints of racial discrimination in all areas of governmental responsibility, provided it be made clear that recourse to this authority will not debar a citizen from asserting in the Courts any of the fundamental rights guaranteed by the Constitution."[10]

The Guyana Government accepted the recommendation and the broad rules for the operation of the Office were embodied in the Guyana Constitution of 1966. In 1967 Parliament passed the Ombudsman Act which spelled out the Office's mode of operation in greater detail. Mr. Gordon S. Gillette, S.C., former Director of Public Prosecutions, was appointed the first Ombudsman and he set up Office on the 26th May, 1966, in temporary quarters.

The remaining months of 1966 were spent in recruiting staff, locating suitable office accommodation and so on. In October 1966, the Guyana Ombudsman visited his counterpart in New Zealand in order to gain an on-the-spot look at the operations of the Office there.

1967 was the first full year of operation and in that year the Ombudsman received 161 complaints.

In 1968 the Ombudsman was able to report significant improvements. As he states in his report for that year:

"The figures reflect a greater readiness on the part of the public to use the machinery the Ombudsman provides for securing redress of individual grievances against unjust and faulty administrative activity. It would be premature, however, to draw any firm conclusions in this formative stage of the operation of the Office."

The Ombudsman noted in his 1968 report that he had received very few complaints about racial discrimination. This trend continued in subsequent years, and, as he has stated, the bulk of his complaints has been against unjust and faulty administrative activity[11].

In 1969 and 1970 there were no spectacular developments but significant changes took place in 1971.

Late in 1970 a new Ombudsman assumed Office, the first Ombudsman having retired. The fact of a former High Court Judge being appointed as Ombudsman focused attention on the Office, and this attention was continued with the announcement by the Prime Minister early in January 1971 of the new duties assigned to the Ombudsman to deal with corruption in public life. At the same time the President passed an Order extending the Ombudsman's jurisdiction to cover public corporations and local authorities. But, perhaps, the most significant change was the appointment of a seven man committee of Parliament (representing all political parties) to study the Ombudsman's activities and to make representations to improve his effectiveness.

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[10] "Racial problems in the Public Service," *ibid*, p. 119.

[11] 1968 Report of the Ombudsman (Government Printer, Georgetown).

The upshot has been that the Ombudsman received some 1,200 complaints in 1971, whereas, for the years 1967-1970 he received on average 200 complaints each year. Judging from the experience of the Scandinavian countries and New Zealand one can say that when an Ombudsman begins to receive 1,000 complaints a year he has arrived and consequently it can be said that the Guyana Ombudsman really has arrived.

If we look at the activities of the Guyana Ombudsman critically over the past five years we can say that the major weaknesses have been :

(1) Lack of full parliamentary support because of the scepticism of the leading opposition party.

(2) Narrowness of jurisdiction.

On the first point Dr. Harold Lutchman[12], Senior Lecturer in Government, has expressed some controversial views with which the present writer is not in full agreement. The main ground for disagreement is that Lutchman gives too much weight to political factors as they impinge on the operations of the Ombudsman. Whereas, it seems to this observer, that the Constitution of Guyana by making certain areas autonomous, such as the Public Service Commission and thus excluding them from the jurisdiction of the Ombudsman, puts far more restrictions on his operations than any political attitudes that may be adopted.

Many writers have tackled the problem of the inhibiting nature of the Westminster model on ex-colonial territories.

There have been a number of studies of the Caribbean situation and also of the New Commonwealth which are relevant to Guyana and the whole region to which she belongs. The authors include Collins[13], S. A. de Smith[14] and Urias Forbes[15].

One would have thought that Trinidad in putting forward proposals for an Ombudsman would look very closely at Guyana's experience because of the many similarities in the two societies. An examination of Trinidad's Draft Ombudsman's Bill[16] indeed shows that Guyana's Ombudsman's provisions have been studied but it is difficult to escape the conclusion that a closer look at the Guyana experience could have helped to avoid some of the imperfections that the Bill reveals.

The first criticism is that the Trinidad Ombudsman is to vacate Office on attaining the age of 65 – S.4(2). This runs counter to the practice with most Ombudsmen whose term of Office usually end with the life of a particular Government. Thus, in Denmark, the Ombudsman serves for four

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[12]"The Office of Ombudsman in Guyana," by Dr. Harold A. Lutchman (1971), mimeo.

[13]B. A. N. Collins, "Notes on Public Service Commissions in the Commonwealth Caribbean" (*Social and Economic Studies, Vol* 16, *No.* 1, *March* 1967).

[14]S. A. de Smith, *The New Commonwealth and its Constitutions, Stevens,* 1964.

[15]Urias Forbes – The West Indies Associated States – Constitutional Arrangements. *Social and Economic Studies,* Vol. 19, No. 1, 1970.

[16]An Act to provide for the appointment of an Ombudsman and to define his powers and functions (Govt. Printer, Trinidad and Tobago, 1970).

years, in New Zealand three years, in Guyana four years. In these countries the term of Office of the Ombudsman is renewable of course, but he has to be re-elected each time to ensure that he has the confidence of the Legislature whose servant he is.

Despite the frequency of re-election, it is significant that Denmark has had the same Ombudsman since 1955 and New Zealand the same Ombudsman since 1962. Guyana's first Ombudsman voluntarily retired after serving one four-year term. It would be interesting to see the age of the Trinidad Ombudsman when he is appointed.

Trinidad also seems to have in mind too much formality in the Ombudsman's mode of investigation with overmuch reliance placed on the legal formalities required at hearings rather than "the swift, simple, inexpensive means of redressing grievances" recommended by the International Commission of Jurists for Guyana. In this regard Section 11(1) is particularly constricting.

It reads:

> "Before an investigation is made into any matter under this Act, the Ombudsman shall give not less than seven days' notice in writing to the permanent head of the department of government or authority concerned, of his intention to make the investigation."

When it is realized that an Ombudsman often has to act swiftly to redress a grievance it could be seen how inhibiting this provision is. In this connection the New Zealand Ombudsman has related how he has been moved to redress grievances in a few hours or a few days, matters that have been long outstanding[17].

This has also been the experience of the Guyana Ombudsman. The Trinidad Ombudsman would not be able to move until seven days have elapsed and until he has given his notice in writing. Enough time for Port-of-Spain to "burn down" as the Mighty Sparrow would say.

The role of Ministers in relation to the Ombudsman has not been spelt out and this is a crucial issue in countries with the Westminster type of Constitution. It was because of its unwillingness to interfere with the doctrine of ministerial responsibility and the traditional role of the Member of Parliament to process complaints from his constituency that the British Government devised a truncated form of the Ombudsman institution. Australia, Canada and Singapore have not established National Ombudsmen for a similar reason. New Zealand and Guyana seem to have overcome the problem but in these countries Ministers are identified in the process of Administration and they are given explicit responsibility for sending complaints to the Ombudsman. The Trinidad provision, whereby the Governor-General, or the Senate and the House of Representatives can send complaints to the Ombudsman by resolution in each case, seems singularly inappropriate in that apart from the formality, this would tend to identify the Ombudsman

[17]Sir Guy Powles, "Address to the Bar Association of the City of New York". *The Record*, June 1966, pages 408-411.

too closely with the Government. This is undesirable. The Ombudsman is the citizen's defender.

In 1967 a committee of Justice Jamaica (Jamaican section of the International Commission of Jurists) prepared an enthusiastic report on "the feasibility of instituting the Office of Ombudsman in Jamaica"[18].

Members of the Committee had the privilege of hearing the Swedish Ombudsman, Alfred Bexcelius who spoke at the United Nations Regional Seminar held in Kingston, Jamaica, in 1967. The theme of the seminar was "the effective realisation of civil and political rights at the national level", and many experts from the region and overseas presented papers and joined in the discussions.

The statements of Justice Jamaica were in rebuttal of the views expressed by the then Attorney General of Jamaica who in a paper he presented seemed to think that there were adequate means, already in existence, for the protection of the rights of the citizens of Jamaica.

Justice Jamaica came to the conclusion "that the Ombudsman scheme is remarkably flexible and is capable of being adopted in a country like Jamaica".

It is very likely that other states in the Caribbean will come to a similar conclusion when they weigh up the advantages and disadvantages of having an Ombudsman. It should not be long before Barbados and the Associated States begin to consider establishing such an institution since in these countries greater attention is now being given to the problems created by the extended activities of central government which increasingly impinge on the lives of ordinary citizens.

At the same time, the national governments concerned would wish to provide administrative justice for their citizens[19]. Gellhorn, after surveying the activities of some nine Ombudsmen all over the world, had this to say about a typical Ombudsman:

> "His humane response to offbeat problems serves not only to contribute to his clients' contentment, but also to remind other public administrators *en masse*, that human happiness is the objective of government."

Caribbean governments can certainly do with such a figure.

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[18]. . . "Ombudsman in Jamaica", reprinted from the *Philippine Law Journal*, 1967.
[19]*Ombudsmen and Others* – Professor Gellhorn, New York (1966).

# Quarterly Notes

**INTERNATIONAL** – *IULA Conference on Leisure*

The theme of the 1973 Congress of the International Union of Local Authorities was "The Age of Leisure". A stirring final resolution was passed which called on local authorities, *inter alia*, to:

adopt long-term plans including land acquisition for the development of leisure-time facilities, due attention being given to the integration of the various sectors such as education, cultural activities, sports, recreation and town planning;

in their towns to take into account the needs of various groups like young mothers, children and young people, the aged and the handicapped for leisure-time facilities near their homes, for leisure during week-ends, and for holidays.

Where these do not already exist:

to provide green spaces near homes where young children can play safely, using their imagination and sense of adventure;

where young mothers can sit, play with their children and meet each other; old people can walk and sit quietly;

to urge their citizens to co-operate actively in the solution of leisure-time problems. They are to feel responsible for the maintenance of parks and gardens and other leisure-time facilities. They are to co-operate in the care of the elderly and the sick. They are to help with the supervision of children of working mothers and to place themselves at the disposal of social services. They are to encourage children and adolescents to participate in sport events and cultural activities. They are to be prepared to co-operate in communal thinking, communal responsibilities and communal work.

In all some 16 invitations to action were put forward and preceding the resolution came a preamble containing the following important message:

1. the concept of leisure necessarily connotes the idea of liberty and is to be distinguished from enforced or self-induced idleness;
2. the best leisure cannot be found in circumstances which are ugly, degrading or poverty stricken;
3. wasteful expenditures, the uneven distribution of resources, the growth of population and the deterioration of the environment constitute an immediate threat to a tolerable life;
4. more attention than hitherto should be given to the pursuit of non-material goods;
5. the developing countries can avoid the mistakes already made in those which are developed.

**INTERNATIONAL** – *CENTO Seminar on Industrial Disputes Settlement*

With the industrial relations of many countries simmering ominously and threatening to boil over, it is very appropriate that even developing countries enjoying industrial peace should look critically at their own systems. Members of the *Central Treaty Organization* (CENTO) have been doing this through a series of seminars, the second of which was held at *Izmir, Turkey*, from the 10th to the 15th September, 1973. All five CENTO member-countries took part in this *CENTO Seminar on Industrial Disputes Settlement*. Iran, Pakistan and Turkey provided fully representative delegations of government officials, workers and employers, while the U.K. and the U.S.A. provided specialist advisers as catalysts.

2. In his keynote address, Mr. Robert W. Donnahoo, of the U.S. Federal Mediation and Conciliation Service, set out the major ingredients to a disputes settlement in the developing world. This was followed by sixteen papers, most of which described particular aspects of disputes settlement in the countries represented. A lively discussion followed each paper, and the delegates evinced particular interest in settlement procedures which were different from those practised in their own countries.

3. It may be invidious to single out particular papers, but, with such a wide range of choice, this is inevitable. Mention must be made of the comprehensive description of the role of a government in disputes settlement which was presented by Prof. Muhittin Alam, leader of the Turkish delegation and Chairman of the Seminar. Prof. Alam drew on experience in the U.S.A., Denmark, the U.K. and Sweden, as well as Turkey. Another impressive paper was presented by the Turkish Workers' delegate. Mr. Onder Aker, who was able to draw liberally from his experience as a worker-member of the I.L.O's Governing Body; while, from the employers, Mr. H. M. Zaidi, of Pakistan, described very graphically the difficulties of modern management in his country and, for that matter, in most other developing countries as well.

4. The proceedings demonstrated the willingness of developing countries not only to learn from the accumulated experience of industrialized nations, but also to learn from each other and, in so doing, to build on their own indigenous institutions to solve problems which seem likely to baffle the world for many years to come. This was particularly apparent in the procedures described by delegates from Iran, who emphasized the determination of government, workers and employers alike to avoid at all costs the waste which results from the breakdown of normal disputes settlement machinery. With the prospect of an ultimate government-imposed settlement, the parties are constrained to reach their own agreements and to refrain from strike or other industrial action. One is tempted to wonder how long such a system can survive in a rapidly industrializing country.

(Specially contributed)

**NIGER REPUBLIC** – *Ladybirds as Famine Fighters*

Red and white spotted Iranian ladybirds have become relief workers fighting the famine in Niger. The 25,000 ladybirds – ordered to Agadera by Christian Aid – are beginning to drive back Parlatoris Blanchardi, a

scaly fungus disease that has been destroying the date palms. When water is in plentiful supply, the fungus grows on the palms without doing too much damage. But following the drought, the fungus has attacked the dry palms, first sapping the nutrients of the leaves.

The Iranian ladybirds were bred by the French Institute for the Improvement of Tropical Fruit in Iran, to feed exclusively on the fungus infesting the date palms. Their rate of reproduction is in exact proportion to the amount of food available. When the fungus retreats – a signal of the mission's success – the ladybirds will simply dwindle.

Before the imported bugs can go to work, gobbling up 400 microbes a day, they need a period of acclimatisation. This takes twelve generations of careful incubation within a net of enclosed palm trees surrounded by irrigated gardens to provide the moisture required for breeding in early generations. By the thirteenth generation the ladybirds are ready.

"Project Ladybug" was financed by the United States Church World Service in one of their joint ventures with the World Council of Churches. Mr. David Smithers, deputy director of Christian Aid, has returned from Niger convinced that "the ladybird is the best voluntary worker we have".

Source: *West Africa*, 7 January, 1974

**PAPUA NEW GUINEA** – *A New Contemporary*

We welcome a new contemporary, "Administration for Development" – the Journal of the Administrative College of Papua New Guinea. Thus, happily, the gap created when "Australian External Territories" closed down, has been filled without undue delay. The new Journal will appear twice annually, in January and July, and will cover a broad field of public and development administration subjects of particular relevance to Melanesia. The first Number augurs well for the future. The annual subscription including postage is $A3.00. The Editor's address is PO Box 1216, Boroko, Papua New Guinea.

**BRITAIN** – *Conference on "The Westminster Model and its Alternatives"*

A very successful conference on "The Westminster Model and its Alternatives" was held under the auspices of the British Institute of International and Comparative Law at Cumberland Lodge, Windsor Great Park, during the week-end 29th to 31st March, 1974.

The conference was opened by the Rt. Hon. Lord Denning, Master of the Rolls and Chairman of the Council of Management of the British Institute, who gave an introductory address and then took the Chair for the session which followed when a paper written by the Hon. Mr. Justice Krishna Iyer of the Supreme Court of India and entitled "New Delhi – how Far from Westminster?: A Study in the Indian Divagation from the British Constitutional System" was read in his absence by Mr. D. A. Kamat, Legal Adviser to the Indian High Commission in London.

Proceedings on the second day began with Mr. K. T. Fuad, Director of the Legal Division of the Commonwealth Secretariat, in the Chair. The first paper was read by Mr. Awtar Singh, Senior State Attorney, Tanzania, on "The Westminster Model and its Tanzanian Alternative". Next came a paper read by Dr. J. M. Finnis, Rhodes Reader in the Laws of the British Commonwealth and the USA at Oxford, on "Reflections on Westminster in West Africa", the Chairman being the Rt. Hon. Lord Cross, a Lord of Appeal in Ordinary and Chairman of the Comparative Law Section of the British Institute.

In the afternoon Mrs. Shirley Playfair, Secretary of the Law Reform Commission of Jamaica, read a paper on "Departures from the Westminster Model which have occurred in Jamaica, Trinidad, Guyana, Barbados and Grenada". The Chairman at this session was Sir Kenneth Roberts-Wray, QC, former Legal Adviser to the Commonwealth Relations Office. After dinner a paper was read by Mr. A. B. Pierce, Senior Legal Officer of Papua New Guinea, on "Papua New Guinea: Westminster by Default", the Chairman being Mr. H. H. Marshall QC, Deputy Director of the British Institute.

On the third day, Sir Kenneth Roberts-Wray gave an account from his own personal experience of the making and drafting of many of the independence constitutions of the Commonwealth – Westminster Model and otherwise. This was followed by a general discussion session at which all papers read at the conference were considered and questions on them answered. At both these sessions the Chairman was Mr. H. H. Marshall.

Among those present, in addition to those specifically mentioned above, were Mr. Visu Sinnadurai, Senior Lecturer, University of Malaya; Herr H. Schoene, Staatsanwalt of the German Federal Republic and Visiting Lecturer at the University of Warwick; Mr. P. S. S. Yip, of the Council of Legal Education, London; Mrs. M. E. Burke, former Deputy Director of the Commonwealth Institute, London; and Mrs. A. Sarup, Research Officer of the British Institute. There were present altogether nineteen senior guests and thirty-three students of whom five were from Malaysia, four from Jamaica, three from India, two each from Nigeria, Singapore, Tanzania and the United Kingdom, and one each from Australia, Bahamas, Ceylon, Cyprus, Ghana, Gibraltar, Kenya, Rhodesia, Seychelles, Sierra Leone, Sudan and Trinidad.

# Book Reviews

**Judicial Review of Administrative Action,** 3rd edition, by Professor S. A. De Smith; *Stevens and Sons, London,* 1973; pp. 505, Appendices 24 and Index 18; £7.25.

This edition of Professor De Smith's standard work falls in no way below the standard of its predecessors. The book has in fact been slightly shortened, though nothing of substance has been left out. This has been done partly by moving some of the historical material into an Appendix, and partly by re-writing. To a user primarily interested in the current state of the law the changes have been helpful. The whole text is more easily readable (which should not be taken as a criticism of the earlier editions, but the substance now flows more smoothly). One very helpful appendix was added at the last moment to deal with the affair of Andy Warhol or rather *A. G. ex rel. McWhirter v. I.B.A.* which the author uses to explore, in particular, the role of the Attorney General in relator actions and to seek to clarify the law. One other change is noteworthy. When dealing with intervening material Professor De Smith has chosen to put more weight on English than on Commonwealth material. Some may regret this, but if the book were to be kept in limits it would not have been easy, as the latter material developed and diversified, to treat it with the depth that has been the author's habit and moreover the book would have got unwieldy. There is no universal judicial review even within systems coming from the same stock. Each will diversify according to its environment.

As is to be expected, intervening material has been fully incorporated and major cases or lines of development have been explored. The discussion of *Conway v. Remmer* and its sequels has been fully re-worked, though typically Professor De Smith has once again to say "The criteria to be adopted by the courts are still obscure and closer definition would be advantageous". So throughout, there are many of the consequences of the *Anisminci* decision in the House of Lords – which must, for good or ill, be regarded as some sort of landmark. In this incorporation it is fair to say that he goes outside England and *Malloch v. Aberdeen Corporation* receives due notice and comment. In relation to that some might perhaps think that the "asinine" or "bizarre" character of that particular field of law which he discusses at p. 201, in relation to the two jurisdictions, might be more applicable to the *Malloch* proceedings; though the case must, one supposes, be attractive to those who hold classical views of judicial review. Though the author remarks that any evaluation of the Parliamentary Commissioner for administration must, at this stage, be tentative, he does make some assessment, commenting that he has "not established himself as a major figure in the eyes of the general public or M.P's", and adds that he has not found "a single instance of serious impropriety". One could be consoled by the latter comment, had one not expected it. The first comment is certainly

true but may in fact be too charitable. The figures, some of which are cited, when broken down seem to suggest a decline rather than the static state of "not establishing". Yet despite this, which is rarely examined, the pressures for the multiplication of the office are still there. The dissenters to the Kilbrandon Report on the Constitution clearly have unshakeable faith in the office.

The mention of that Report is not random. Devolution either in a legislative sense, which some of the "majority" on that Royal Commission wanted or devolution in an administrative sense (which others did), are unworkable without some efficient system of judicial review. The more frontiers there are the more frontier problems exist. One wonders whether the system which Professor De Smith depicts with such skill, scholarship and affection can ever match up to the tasks. The appendix on Andy Warhol makes the point. Clearly some of the judges wanted to say various things. Clearly, also, there was a question of Mr. McWhirter's *locus standi*. To discuss the latter was to distrust the former and the vital question of *locus standi* in the system is as the author indicates still among the most obscure and still related to different remedies and at times surrounded by discretion. It was no wonder that people sought escape, even if the means were inadequate. Thus one turns to what is said of the new situation of British Membership. One seemingly surprised comment is the discovery that rules of natural justice are not unknown to the European Court of Justice, though pursuit of the cases would have shown how much more there is of substance than of technicality. For the rest "One ought not to expect dramatic new developments to occur in the immediate future" coupled with the remark that there is no obvious reason to adapt separate jurisdiction as in France or Germany. One is beyond expecting dramatic developments. Yet the real problem is there. The contrast between *McWhirter's Case* and all those on what is "direct and individual" under Article 173 EEC is marked. All the early cases were decided, and rightly so on *recevabilité*, *locus standi*, for judicial review is part of the political process and the question is not technical but basic. If one turns to passages on, for example, compensation, the same contrast is there. Rules which have direct effect confer rights which national jurisdictions are bound to protect – including the award of compensation when they have been denied. The problem is not essentially one of adopting particular forms of judicial structures but of understanding a basic philosophy of law in the context of government. No-one would talk, as is suggested, of imposing the case law of the French Conseil d'Etat, though much of it would do us much good. What is in question are the basic principles and ideas, from which the case law flows simply. The ideas are for the most part sound. Many would argue that the two problems are essentially connected and even that the history of judicial review in the United Kingdom proves the point, but if that is left on one side this problem of the interrelationship of legal systems cannot be swept aside. Once government has entered a highly legal setting the forms, the techniques, their cheapness, effectiveness and speed are all major matters. The system itself does need review, and one can hope that developments come faster than one fears they will.

One should be clear. That is for the future. For what is, and what was,

there is no better guide than this book, which itself is not uncritical of the system. What is in issue is the system itself. To say that is not to be ungrateful to an Author who describes the system critically – warts and all.

J. D. B. MITCHELL

**Tourism and Development: A Case Study of the Commonwealth Caribbean,** by JOHN M. BRYDEN; *Cambridge University Press*, 1973; pp. XII and 236; £4.75.

The recent development of tourist industries in a number of under-developed countries has often been seen as a salvation for countries in which neither the expansion of agriculture nor of manufacturing has seemed to hold out much hope of rapid increases in the standard of living. Now, Dr. John Bryden, in his painstakingly-detailed study of the costs and benefits of tourism in the string of small islands of the Commonwealth Caribbean, casts doubts on whether the development of tourism has really been any more successful in that aim.

He shows that many of the benefits accrue to the overseas firms that have financed the hotels and to expatriates who, in most instances, seem to have the more lucrative jobs whilst for locals, employment tends to be seasonal. He argues that the expenditure on hotel building has often been matched almost dollar for dollar by Governments that have had to finance the roads, airports, water supply and other forms of "infra-structure", and says that this money could have been spent on things that would have benefited the local people more directly. Not even local agriculture has benefited, because the hotels import much of their food from abroad, instead of buying it from the local farmers. These latter would, of course, like to sell food to the hotels, but they cannot afford to pay the necessary labour because they cannot compete with the higher wages offered by the hotels. Rising land prices tempt some of them to sell out, but since they have no appropriate skills to do anything other than farm, they squander the proceeds and then find they cannot get a job.

To top this long list of gloom is the finding that in any case, it looks as if, on balance, the underdeveloped countries taken together pay out at best almost as much foreign exchange as they receive from tourism, and in some cases more. Meanwhile, tourists introduce the idea of spending money on all kinds of things hitherto unheard of, and which can only be imported, and local people then either start to buy them and thus "waste" valuable foreign exchange, or get disgruntled if they cannot afford to.

What a sorry tale of woe, and all minutely documented with an impressive array of statistics and careful reasoning. It is the more persuasive, because the book is written in an urbane tone of moderation, in contrast with much of the Radical attack on tourism which has gained such momentum of late. Also, Dr. Bryden sensibly rests his case predominantly on the economic calculus and therefore does not need to lay much stress on the value-laden criticisms of the alleged social and cultural ("transcendental") ill-effects of tourism which figure so prominently in much of the Radical attack.

Is the gloom however really quite as unmitigated as Dr. Bryden would have us believe? First, whilst it may not be incompatible to argue, as he does, that farmers are short of labour because jobs in the hotels are more lucrative *and* to say that locals only get the less well paid jobs in the hotels, what surely matters is that these hotel jobs are nevertheless *better* paid. Secondly, if one accepts the notion that a particular path of development needs to be compared not with some millennial ideal but with the alternatives actually open to a country, then one is bound to ask whether, on balance, these islands have not perhaps after all done better out of tourism than they could possibly have done out of any other activity, and Dr. Bryden indeed concedes that this may well be so, though this conclusion does not receive great prominence. Where he is surely right, is that the benefits from tourism might well be enhanced if governments were a little less generous with their tax concessions, etc., to foreign investors and a little more insistent upon training of local people in hotel management, and also on preventing the building of large hotels which would be more difficult for local people to manage. Thirdly, given the paucity of good books on the economics of tourism, there is a danger that Dr. Bryden's conclusions, derived from the small islands of the Caribbean, might be transferred lock, stock and barrel to all underdeveloped countries that are developing tourism, and in one or two places Dr. Bryden comes dangerously close to doing so himself. This would be quite wrong. The effects in Kenya, for instance, have been totally different.

Finally, this reviewer only knows at first hand one of the island groups that figure in this study. There, the local people have every appearance of being rather better off as a result of tourist development and they seemed more put off by the influx of workers from neighbouring islands, also anxious to cash in on the employment opportunities created by tourism, than by the tourists themselves. He has also over the years formed the unfashionable view that when the statistics seem to belie what stares one in the face, it is not necessarily one's casual observations which are at fault. Dr. Bryden's rather unfavourable findings depend critically upon his statistics; one must just hope that they are alright!

WALTER ELKAN

**The Administrative Factor: Papers in Organization, Politics and Development,** by BERNARD SCHAFFFR; *Frank Cass, London,* 1973; pp. xi+329; £5·50.

This is the kind of book that ordinarily gets a lukewarm review at best, being a collection of the author's own ephemeral papers written over twenty years, some of them for special and even exotic readerships like the *cognoscenti* of Papua and New Guinea, squibs that would not be expected to go off a second time. But *these* old fireworks give a dazzling display, and for specialists in British public administration and in development administration their republication is a notable event.

Many of the papers are in fact published in Britain for the first time; and though some of us may have been aware of their existence, and kept references in our files, fewer of us will have troubled to actually search them out. Here,

now easily available, are the articles on "The Idea of the Ministerial Department" (Dr. Schaffer's original analysis of how much less than inevitable was the Victorian invention, now holy writ): on "Theory and Practice in the Machinery of Government" (containing his reflections as an old Treasury MG man himself); and on "Brownlow or Brookings, Approaches to the Improvement of the Machinery of Government" (which hangs on a scholarly review of rival American reports of the late 1930s a discussion – still most highly relevant – of the errors and "obstinacy" of rationalism and managerialism as underlying doctrines of macroscopic administrative change). These all appeared (as did many other papers in the book) in antipodean journals during Dr. Schaffer's decade in Australia, though they have but little to do with Australia or New Zealand in their material.

Dr. Schaffer has moved on from this early interest in the critique of machinery of government reports (though there was a splendid late-flowering in the article sub-titled "Fulton in Winter"), and he is, among "straight" PA men, sadly missed. Of the sixteen papers in this volume, about half are describable as "development administration", in one or other of his "Some Possible Meanings of Development Administration"; most notably, perhaps, "The Concept of Preparation" (the pretence, or rationalisation, that colonies approaching independence were being prepared to receive the "Westminster Model"), and "Advising about Development" (drawing some lessons from a World Bank report on Papua New Guinea). The other Papua New Guinea paper, "Public Employment, Political Rights and Political Development", also for a local audience, nevertheless contains a brilliantly-suggestive analysis of the "bargain" that was struck in the British nineteenth century between the civil servants and the politicians, whereby the civil service traded neutrality for permanence – just right for that concatenation of circumstances, but not to be taken as some "gospel truth" or absolute timeless model of the relations between representatives and officials. The two final papers, "Comparisons, Administration and Development" (an evaluation of the work of American development administration scholars over ten years), and " 'Easiness of Access': A Concept of Queues", are fairly recent work, done since taking up his appointment in the Institute of Development Studies at the University of Sussex. The "Access" idea, using official/client (or, more appropriately, official/applicant) relations at the "point of service" as an index of bureaucratic or other role patterns in organisations, is a very fruitful one, capable of much development – and possibly beginning a new and somewhat different chapter in Dr. Schaffer's own intellectual development.

This final paper does not really belong with the rest of this collection, which is unified by the cogent philosophy and the urbane style of the author. In the development administration coterie, he is the former straight PA scholar turned overseasman, not the repatriated colonial official turned academic; and some find this a reproach. As a scholar in comparative administration, he knows well and can offer a critique of the various territories of "overarching theory", model-building, and methodological nicety, while disdaining to apply for an entry permit himself; some may find his descriptive categories insufficiently articulated, his measurements unrefined. He keeps his theoretical gaze resolutely scanning the middle range, never squinting

at minutiae, never peering ahead beyond the limits of safe braking distance. His main motivation can be seen, in paper after paper here, to be a strong sense of how historical accident can masquerade as eternal substance, and how the service of apparently rational principle can blind men to the meaning of their own observations. This is English empiricism of the most intelligent kind.

The writing is usually easy, eschewing "social science" jargon, speaking to the intelligent layman rather than the arcane specialist, while making no concessions to the unintelligent or the ill-read. But more than just occasionally, it must be said, the accessibility of Dr. Schaffer's writing falters; imperfect sentence structure and choice of words, sentence after sentence in a paragraph, impedes communication – as in "Staff Conditions and Careers as a Problem of Management"; or as in sentences like this from the "Employment, Rights and Development" paper:

> "That may not at all be a sensible, viable or necessary nexus to expend such resources on attempting to build, between authority and elite cadres."

– which at best is inelegant and unless carefully read is confusing. The first pages of "Easiness of Access" are far from easy of access: thought is so condensed as to be frankly obscure. There are also a large number of misprints, and at the top of p. 143 a line of typescript has been left out altogether. (The words omitted, which can be ascertained by going to the original publication in the *PAC Bulletin* No. 5, Dec. 1968, p. 22, are "could forget the spectacle of public service personnel management".) One would have liked the dates of original publication to have been given for each paper, rather than just the volume numbers of journals; and for three of the papers, no information about first appearance is given at all.

Blemishes apart, one is grateful to Dr. Schaffer for putting out this volume. The earlier "machinery of government" papers must be required reading for teachers of public administration and all who read *or write* Government reports in this field. British development administration buffs will already know their Schaffer, but may be glad to have these papers in convenient form.

A. DUNSIRE

**Serving the Small Farmer; Policy choices in Indian Agriculture,** ed. GUY HUNTER and ANTHONY F. BOTTRALL; *Croom Helm, London,* in association with *The Overseas Development Institute,* 1974; appendix, glossary and index; pp. 250; £6.95 (hardback).

This very useful book records the proceedings of part of the Reading University/Overseas Development Institute agricultural development research programme. This international programme (of which Guy Hunter is Director and Anthony Bottrall Assistant Director) aims at improving the criteria for selecting administrative methods best suited to the farmers' needs at various stages of development. The research papers which compose the major part of the book resulted from a project sponsored jointly by the Indian Ministry of Agriculture and the Reading/ODI programme. The

papers were discussed at a Conference on the Adaptation of Administration and Institutions to changing levels of Agricultural Development held in Delhi in December 1972.

Much of the Introduction, by Guy Hunter, is devoted to an explanation of the nature of the Research Programme and to setting out the three simple propositions which are the basis of the general thinking behind the Programme. First, that the process of modernising the agricultural economy represents a transition from a traditional semi-substance way of life to a more productive rural economy. Second, that despite local differences, there are common features in this transitional process. Third, that differences between different farming communities in respect of their progress in transition, have been inadequately appreciated when administrative and institutional methods of development have been selected.

These propositions are expanded. So clear is the analysis that initially one is left with an uneasy feeling that such self-evident propositions hardly call for further research. Second thoughts, based on experiences in Pakistan and Africa of dubious "instant" packages for development, provide more than sufficient justification for spelling out the major factors determining the choice and timing of administrative and institutional tools.

The research papers illustrate the high academic standards in the Indian institutes which participated in this project – The National Institute of Community Development, Hyderabad, the Agro-Economic Research Centres at Vallabh Vidyanagar and Waltair and the Pubjab Agricultural University, Ludhiana. The papers provide statistical and factual support for the propositions explained in the Introduction. The conclusions which the researchers reach are not revolutionary and are usually sound practical common sense, e.g. "There is little evidence that production credit is a priority requirement in the more backward areas, but demand for it increases rapidly in areas with high potential for the introduction of High Yielding Variety technology" (p. 55).

Once there is a barely suppressed *cri de coeur* – "It could be said that political leaders certainly support and activate those parts of the Panchayat programmes in which their interests lie. But they make it very difficult for officials to administer programmes impartially" (p. 205). Possibly more emphasis should have been placed on the politicians' role – sometimes constructive, often disruptive.

The conference at which these papers were discussed was attended by distinguished academics and bureaucrats from India and elsewhere (but apparently not by farmers or politicians). Predictably, their conclusions reflect the basic thinking of the Research Programme and in particular that "no single package of administrative practices can be effectively applied uniformly to the wide variety of technical and human situations".

It is perhaps significant that technical situations apparently take precedence over human situations in this quotation. The vital role of the farmer himself is insufficiently stressed in the papers and the conference conclusions. How can he be convinced of the advantages of what the planners plan for

him? How can he be persuaded to act? These are the vital questions to which no satisfactory answer is tendered[1].

In the concluding Chapter on Discussions and Implications, the editors give their own helpful overview. Particularly apposite are the comments on co-ordination and management, where the perils of bureaucratic power and emphasis on rank, both within the civil service and outside, are analysed. They go on to offer suggestions for translating some of the general conclusions into practical applications. These include recommendations for wider discretion to District authorities, a less rigid insistence on the effectiveness of credit alone as a development tool, caution in pressing the claims of co-operatives as a panacea, and the requirements of tribal or very backward areas where "community development" or even "paternalism" is initially more appropriate.

It is perhaps inevitable in a book of this nature that there will be some repetition. Nevertheless, in future editions it would be advisable to make do with only one explanation of the Indian system of local self government (Panchayat Raj). Otherwise, the systematic arrangement augmented by useful glossary and indices make for a compact and convenient book of reference. It should become well-thumbed in the service of all interested in rural development anywhere. Only its price (£6.95) will militate against this.

B. J. J. STUBBINGS

**Constitutionalism in the Emergent States,** by B. O. NWABUEZE; *C. Hurst and Company, London,* 1973; pp. 316; £4.25.

Much has been written about the problems and vicissitudes of constitutional government in Asia and Africa by political scientists but, despite the importance and weight of relevant new legal materials in recent years, there have been few general studies by constitutional lawyers. Professor Nwabueze, a distinguished Nigerian academic lawyer who is now Dean of the Faculty of Law in the University of Zambia, has written a characteristically rich and wide-ranging study which makes an important contribution in this area. In his earlier, authoritative work on the *Constitutional law of the Nigerian Republic,* he examined briefly the concept of "constitutionalism" which denotes, in essence, the existence of effective limitations upon government. From their experiences in the 1960s most new states in Asia and Africa offer relevant illustrations mostly demonstrating the "erosion of the foundations and principles of constitutionalism" which Nwabueze attributes fundamentally to the lack of legitimacy of the constitutions in the eyes of people and leaders.

His discussion centres in the first instance on the Nigerian experience in which he himself participated, three chapters being concerned respectively with "the Westminster Export Model" as applied in Nigeria, constitutionalism and national unity and the failure of federalism to foster

[1]This aspect is dealt with in *Tropical Farming Economics,* by Margaret Haswell; Longman, 1973.

constitutionalism. (Could the Westminster model be recognisable in a federal state? The types of compromises required in each are surely very different.) Other chapters consider the role and practice of constitutionalism in emergent states, emergencies, *coups d'etat* and secession. Here the author broadens his discussion to include examinations of relevant episodes and problems in many other states of Africa, in and out of the Commonwealth, as well as some others (e.g. Pakistan) and he relates his analysis neatly to appropriate aspects of the constitutional history of the U.S.A. and some European states. Generally he summarises intricate events with a lawyer's objectivity before offering his critical analysis.

As a lawyer Nwabueze is also particularly interested in the point of contact between government and law which is refined in the crucible of litigation; he discusses in detail many important judicial decisions, mostly from Commonwealth states and some of them unreported – such as the celebrated clash between the Supreme Court of Nigeria and the Federal Military Government in the *Lakanmi* case. The leading cases on constitutional breakdown are all considered here: *Dosso* (Pakistan), *Mustafa Ibrahim* (Cyprus), *Matovu* (Uganda), *Madzimbamuto* (Southern Rhodesia) and *Sallah* (Ghana). (The Pakistan Supreme Court's reversal of *Dosso* in *Asma Jilani* v. *State of Punjab* P.L.D. 1972 S.C. 139, was too recent for inclusion.)

There are several points upon which it is necessary to disagree with Professor Nwabueze's approach, which basically reflects the traditionally-conservative attitude of English law and lawyers. He is rightly sceptical of the effectiveness of written constitutions which lack legitimacy because they enshrine values and ideas opposed to those of the society and its rulers, but he hopes that politicians will develop "the right attitude towards the constitution" (p. 301). "The people must be made to identify themselves with the constitution" (p. 25). Surely constitutions must be drafted which are in themselves identified with the people? Is he not unduly pessimistic in stating that "traditional cultural systems have yielded nothing relevant to the organisation of the central government of a modern complex society" (p. 24)? The author is over-indulgent to the common law, claiming that it offers full protection of fundamental individual rights as against executive action (although not, of course, against the legislature – which is why he sees that bills of rights were needed in constitutions). He sees bills of rights as merely declaratory of the common law, creating no new rights (pp. 41, 244). On this view, the abolition of the constitution leaves such fundamental rights continuing under common law against the executive. Dicey himself (whom the author quotes with approval) was hardly more enthusiastic about the common law. And this argument leads Nwabueze to assert that "under the British colonial administration, legislative encroachment upon private rights has never . . . gone beyond what the exigencies of administering a colonial territory demanded "so that "civil liberties were up to the time of internal self-government no less ample in many of the British dependencies than in Britain itself" (p. 40). He is clearly unfamiliar with, for example, East African legal history and with recent studies such as that of Y. P. Ghai and J. P. W. B. McAuslan on *Public Law and Political change in Kenya* but one would have thought that even Nigerian legal history would have modified this assessment

of private rights under colonial rule – a matter by no means irrelevant to the subsequent history of government in independent Nigeria. It is also arguable that the common law approach of many judges greatly inhibits the enforcement of constitutional bills of rights which in their content as well as in their authority represent a marked advance upon the common-law protections.

The author's rejection of Kelsen's conclusions regarding the continuance of old laws by a new regime following a *coup d'etat* is also unconvincing. Kelsen rightly emphasises that such laws derive *validity* now from the new order although their *content* is unchanged; Nwabueze, however, agreeing with the Ghana Court of Appeal (in *Sallah's* case), considers that "the true legal implication of the saving of existing laws by the new revolutionary government is . . . that they continued in force under the authority of the old constitution" (p. 243). Yet how can this be if the old grundnorm has been superseded by the new one and no longer has authority?

This book raises directly a fundamental issue: what concept of constitutionalism is likely to be of service in studies of government in new states? Nwabueze settles for an interpretation which reflects primarily the legal entrenchment of liberal democratic freedoms. He is unsympathetic to the single-party states which receive cursory and misleading treatment only ("One-party government has tended in almost every case to produce one-man rule" (p. 159)). The lawyer's approach may be remote from the practical realities of government. He does not, for example, discuss the value of the Tanzanian "ombudsman", the Permanent Commission of Enquiry, which is arguably more effective than a bill of rights in protecting citizens against administrative oppression. Nwabueze's conception of government in the new states appears to be unduly restricted: "Government in these countries will continue for some time to be thought of largely in terms of its traditional functions – law and order – and of the social services which it provides" (p. 121). But governments of most new states today are, in fact, preoccupied by the desperate business of the search for development. Even within the Commonwealth highly-diverse paths are being trodden by different states; the concept of constitutionalism can be of service but like other ideas it must live dangerously by discarding its ideologically-protective garments (whether woven in Westminster, the Inns of Court or elsewhere). Only a value-free concept of constitutionalism can be relevant or useful for comparative studies of government in the new states.

Nevertheless, Professor Nwabueze gives us a clear, coherent, thoughtful and perceptive analysis although his lawyerlike restraint leads him to some obvious understatements: e.g. "The notion of a 'military democracy' is in some measure a contradiction in terms" (p. 245). His analysis of the constitution of Nigerian military government is, however, particularly useful, corroborating the impression of the importance of the bureaucracy as "the mainstay of the military governments in all the countries" (p. 252). There are some extravagant generalisations, e.g. "An African president feels a kind of demi-god" (p. 222); "a large-scale state organization is essential to economic development" (p. 258). There are some weaknesses of structure in the book, a fair sprinkling of misprints and, for a work published in 1973, a few

curiously out-dated references (e.g. to Congo-Kinshasa). It is, however, sufficient testimony to the value of Professor Nwabueze's book to report that it is commended in a foreword by the late Professor S. A. de Smith, a pioneer in this field whose inimitable contributions will be greatly missed in the future.

JAMES S. READ

**Correspondence Education in Africa;** ANTOINE KABWASA and MARTIN M. KAUNDA (Joint Editors); *London: Routledge and Kegan Paul*, 1973; pp. XV+173; £3.50.

The correspondence course has long been a significant factor in education in Africa in that for years thousands of Africans have obtained their qualifications by taking the good, bad and indifferent courses offered by good, bad and indifferent profit-making tutorial colleges. A new phenomenon in "post-independence" Africa has been the growth of correspondence courses offered by non profit-making, state and parastatal institutions. In 1972 there were 36 such institutions in some 17 countries offering courses in a whole range of subjects from those needed to obtain a "School Certificate" to Teacher Training, from Public Administration and Civil Service procedures to Agriculture and the Co-operative Movement, and more such institutions have been established in 1973. Some conduct their courses in the conventional manner of correspondence education; a growing number supplement the correspondence element with programmes broadcast by radio and television; a few use the methods of "three-way teaching" (correspondence plus radio or television plus face-to-face tutorials) after the fashion of the Open University in the United Kingdom. Compared with effort in conventional education in Africa that in correspondence education is miniscule, but it is growing significantly and will continue to do so.

It is not surprising therefore that representatives from twenty-five institutions met together in Abidjan in the Ivory Coast in April 1971 for the first seminar ever on correspondence education in Africa. The major purposes of the seminar were four; to review past endeavours, to consider the application of correspondence education to specialised training in such topics as Agriculture and Public Administration, to discuss the introduction of new techniques to supplement the conventional correspondence courses, and, finally, to consider various means of promoting the spread of correspondence education in Africa . . . by the setting up of the "Association of African Correspondence Schools" and by the publication of this book, "Correspondence Education in Africa".

The book in fact is largely based on the papers presented at the Abidjan Seminar. Tony Dodds of the International Extension College describes the work of INADES in promoting social and economic development by correspondence in the Ivory Coast and elsewhere; Mr. Kagaruki and Mr. Mwakatobe look at correspondence education in the Co-operative movement in Tanzania, while Mr. Kabwasa considers training in Public Administration and the value of correspondence education in in-service teacher training. International interest in the theme is expressed in Gloria Scott's paper on

"The United Nations Correspondence Training Programme" and in Renée Erdos' contribution, "UNESCO and Correspondence Education for Teacher Training". Charles Wedemeyer and Martin Kuanda look at the role of correspondence in post-secondary education, and finally Lars-Olof Edström addresses himself to potential aid donors in his piece on "Assistance to Correspondence Education in Africa". But the book is rather more than a collection of seminar papers; indeed nearly one-third of it consists of a "Survey of African Correspondence Institutions", a country by country description of the correspondence courses offered, the numbers of students involved, the methods used and so on; this survey was commissioned by the Abidjan Seminar and carried out by Dr. Michael Young's International Extension College.

On the whole the book is disappointing. The papers are readable enough and concerned with relevant themes but, with some notable exceptions like Tony Dodd's substantial contribution "INADES – A Case Study", they are too short and too slight. One would have liked rather more and rather stronger meat. Furthermore, although one could not have expected the contributors to have mentioned in such an obviously promotional publication the weaknesses and failings of some of the institutions at present involved in correspondence education, it is not at all unreasonable to have expected far more than occasional and incidental reference to the problems and difficulties to be faced in this form of education; this book presents a portrait of correspondence education *without* the warts. On the other hand those who are looking for a statement, supported by examples, of the case for correspondence education in Africa will find this book quite useful, as will those who are seeking information about specific schemes like the UN Correspondence Training Programme on the use of correspondence education in the up-grading of teachers in Uganda. But most useful of all is the section on the "Survey of African Correspondence Institutions" executed by the International Extension College; this fills an important gap in conventional knowledge about education and training in Africa and for this one should be grateful.

W. A. Dodd

**Land Tenure in the Pacific,** edited by Ron Crocombe; *Melbourne, Oxford University Press,* 1971; pp. 419; £5.75.

The introduction begins, "This book is intended to give an overview of land tenure in all major Pacific islands". This is a very tall order – in 400 pages – and the book is almost as difficult to review, as it must have been to compile. A review of an overview is likely to be right out of sight of the view itself, even though the view is so vast. It covers twenty named islands or groups of islands (not excepting Australia and New Zealand), and there are eighteen contributors who include "anthropologists, economists, geographers, historians, political scientists, lawyers and administrators", thus "providing perspectives of similar phenomena from diverse viewpoints". The anthropologists predominate, for no fewer than nine of the contributors are so described in the useful "note on contributors" which is provided at the end of the book, and so gives a clue to the contents. That such a collection

could be assembled and coherently presented is a great tribute to the Editor, Professor R. G. Crocombe, generally known as Ron Crocombe, and so named on the title page. Nobody is better known or more widely respected than he is in the field of land tenure in this area.

Detailed comment on individual points from so mixed a bag is scarcely practicable, let alone fair, and a reviewer must confine himself to a few generalities such as, "The book is generally informative and useful, a valuable *vade mecum* for all travellers in this area who are interested in this subject". It can also be said that the book is stimulating, or even provocative, but this is merely a glimpse of the obvious, as a glance at the chapter headings shows. These headings are nothing if not tendentious; for example, "New Zealand: Salvaging the remnant", and "New Hebrides: Land tenure without land policy".

As ever, it is the ratio of people to land which is the ever-growing problem, here as in other parts of the world, "There is less than one-quarter of the land per person in the Pacific today than there was at the turn of the century. By the end of this century there may be one-eighth as much." How to put a quart into a pint pot is a question which, unhappily, metrication does not answer. It is by no means answered in this book, which in places is backward looking, for it tends to reflect the inclination of anthropologists to dwell in the past almost, as it were, with nostalgia. The Editor, in the final chapter in which he sums up under the title of "Land Reform; Prospects for Prosperity", takes care to correct any false impression in this regard. "The view that pre-contact tenure systems functioned harmoniously is generally fallacious. Physical aggression as well as personal oppression in relation to land was widespread." He pins his faith on the redistribution of land when it is not efficiently used. There is little suggestion of the carrot, only of the stick. "Similar problems throughout the world have usually been solved only when governments put the interest of the nation above those of a minority of individuals, and acquire the necessary land rights by eminent domain or other legal action." This is certainly a challenging, if debatable, assertion with which to conclude a book that should be widely, though not uncritically, read.

Finally may a blow be struck for the reader? Generally speaking footnotes tend to distract; what is relevant should be written into the text. An occasional "aside", however, in amplification or explanation is inevitable in this sort of book, and performs a useful function. But if footnotes are annoying, end notes are maddening, and end notes combined with the author-date type of reference are even worse. In these days of ever-improving techniques, is it really necessary to resort to such innovations not, it should be noted, as improvements, but merely to save expense in printing? In this regard, modern book production appears to be going back instead of forward.

ROWTON SIMPSON

**Local Government in India,** by SHRIRAM MAHESHWARI; *Orient Longman, New Delhi, India;* appendices and index; pp. 392; Rupees 16.

Over the years the *Journal of Administration Overseas* has probably published as many articles on local self-government in India, as on any other

subject – mostly on some particular facet of Panchayati Raj administration. Journal readers will therefore welcome the competent study of Indian local government which Dr. Maheshwari has now written.

In lucid and straightforward language the author sets out the historical background (very briefly); the three-tier Panchayati Raj system; how each tier is formed – its powers, functions and problems; the machinery of urban local government; single-purpose agencies; town planning; finance and supervision.

There is nothing very new about the largely factual picture which is presented. There are many variations as between State and State, and even within a State, in the operation of Panchayati Raj. There are many varieties of municipal government. There is much criticism – inevitably in a system which concerns so many millions of people in so vast a sub-continent. What merits the reviewer's commendation is how well the author has marshalled his facts and disciplined himself to provide an overall picture of local government in less than 400 pages. To have eschewed the temptation to provide details of variations, by way of massive footnotes or to have qualified *ad nauseam* statements on policies and procedures, must have been considerable. The author has wisely allowed the facts to speak for themselves – including critical reports such as that produced in Rajasthan. The result is a balanced account of a fascinating experiment in democracy, of local government operating often with great difficulty in one major developing country at least, at a time when in many others Central control looks askance at such forms of local autonomy.

Attention is drawn to the exclusion of Municipalities from the *Zila Parishad* – the apex of the Panchayat system – in most States and the author sensibly deplores this divisive policy towards mutually complementary town and country bodies. Indeed, as he emphasises, local government is a branch of the whole system of government in the Union and in the States.

In his concluding Chapter Dr. Maheshwari gives thought to the future of Indian local government which "has remained sick and depressed . . . so much so that its inefficiency has become proverbial", and he points out that New Delhi, Chandigarh and Bhubaneswar do not seem to fail by comparison with other towns, albeit they are directly administered by the bureaucracy and lack any form of democratic local government. Inadequate resources, incompetent and lowly-paid staff, excessive interference by the States, corruption and nepotism are blamed for the present sorry state of affairs. Dr. Maheshwari proposes a cabinet form of local government as the major reform needed to put things right by overcoming the existing friction-creating division of functions between the deliberative and the executive organs at local level. Let, he is saying, the executive administer and the elected members, accountable to their constituents, make the policy decisions. Let local bodies enjoy greater freedom from State interference.

Dr. Maheshwari sees district administration, at present separate, parallel and prestigiously more important, as stultifying the development of local government. He recommends that it be converted into the machinery of

local government, with certain functions (e.g. law and order, flood/famine emergencies, etc.) excluded and made the responsibility of the divisional commissioner. With local bodies truly autonomous and with their elected members fully responsible for local decision-taking and no longer in a role subordinated to that of the district administration, local self-government in India, he believes, could still be made to flourish. This does not, of course, preclude a reasonable measure of State control. The attempt to preserve and improve a democratic system at the local level which the Government of India has deliberately built up, is surely well worth the effort.

P.H.J.

**Revolt in Bussa: A Study of British "Native Administration" in Nigerian Borgu, 1902-1935,** by MICHAEL CROWDER *London, Faber and Faber,* 1973; illus., maps, appendices, Notes, index; pp. 273; £5.00.

Comparatively little is known or has been written on the Borgu area of Nigeria. It is only recently with the building of the hydro-electric dam at Kainji that a significant interest and influx of money has touched the old Borgu emirate which is now part of Kwara State. Now that Old Bussa has been submerged in the man-made Lake Kainji and New Bussa has been erected nearby, it is appropriate that the history of this much misunderstood and neglected people – the Borgawa, whose ancestral home Old Bussa was – should receive the attention of a noted writer on West African history, Professor Michael Crowder.

Drawing largely on the untapped archival sources from Northern Nigeria, Professor Crowder reconstructs the colonial history of Borgu, focusing his study on native administration in Bussa. Indirect Rule, which seemed to operate so effectively in many parts of Northern Nigeria, was remarkably ineffectual when applied to Borgu. This was due in part to an incomplete and often imprecise understanding of the political relationships existing in pre-colonial Borgu, particularly those at the time of colonial occupation in the last decade of the 19th century.

The British regarded the Borgawa as a backward and compliant people whose inaccessible country was generally considered to be economically unimportant. Even Joyce Cary, who was Assistant District Officer in Borgu in 1917 and 1918, shared this outlook. His well-known character "Mister Johnson" is drawn in large part from his experiences in Borgu.

This complacent attitude on the part of the British was severely jolted when news of an armed rebellion in Bussa reached the colonial officer in Yelwa in June 1915. In retrospect, the causes of this revolt, which forced the British-imposed ruler in Bussa to flee for his life, are not difficult to understand. As Crowder has lucidly analyzed them, the main grievances of the Bussawa were the loss of their lands to Yauri, the elevation of Kaiama to a status equal to Bussa through an ill-advised administrative re-organisation, and the deposition of their rightful king, Kitoro Gani, whom the British regarded as unfit to rule. (He was later reinstated and again deposed in 1935 – a unique record in Northern Nigerian chieftaincy affairs).

This study, then, covers the native administration during the periods of Kitoro Gani's two reigns (1902-1935), although Kitoro Gani himself remains an enigmatic figure throughout, being seen only through the critical eye of the British. It is left for future research to shed light on the still-obscure origins and history of the Borgawa from the historical perspective which will emerge from their own oral traditions.

JANET L. STANLEY

# Book Notes

**Impact and Economics of Community Water Supply,** by I. D. CARRUTHERS; *School of Rural Economics and Related Studies, Wye College, Kent;* with tables and figures; pp. 120; £1.50.

Kenya aims to provide a modern water supply to all her citizens by the end of the Century. This small book provides a study of the experience gained and problems faced by the Kenyans in an area where, until recently, only the urban minority have benefited and, only now for rural areas, is the view being voiced that water supplies will generate social benefits exceeding social costs.

The Kenya government intends to allocate 5 per cent of public sector development to water supplies, involving £86 million for rural areas. This the author considers is technically feasible but he sees major constraints in shortages of engineers and recurrent finance. He recommends that schemes be selected to support viable production programmes involving health and agricultural education, credit, marketing, etc.

Incentives are urgently needed to check the flow of rural/urban migration. Successful rural development is the main means and for this an adequate water supply is a pre-requisite. Carruthers points the way when he recommends "*rural water supplies should be regarded as a basic social service . . . in particular communal points should be free and private connections should have a low connection fee with rates set according to regional income levels*".

**Economic Prospects of Bangladesh,** by AUSTIN ROBINSON; *Overseas Development Institute, London;* Tables; pp. 59; £1.50.

Flood, famine and War; communications broken – bridges, ferries, damaged rolling stock. Rarely can a country have gained her independence in such grim circumstances as Bangladesh in the first days of 1972.

Can the new nation become viable? The author in his sympathetic study sees no ready answer, but he points to the pre-requisites of population control, for a set of advancing industrial technologies with low capital-intensity (i.e. reversion to the hand loom provides no answer) – above all a reduction in the rate of population growth.

What can donor countries do to help? For Britain herself a food importer, the supply of grain is not possible, but the author believes that British aid in goods and services (which are not identified) has been provided "in the form that can best serve to get the economy back into more normal operation and to diminish the inflationary pressures due to the shortage of more general consumer goods". The author was particularly concerned that the further famine would overwhelm all current efforts for recovery, but in his epilogue he gladly reports that the 1973 rice crop prospects were much improved and that shortages there would be, but without famine.

**Contradictions in Agricultural Development,** by MICHAEL STAHL, *Scandinavian Institute of African Studies, Uppsala, Sweden;* bibliography and Notes; pp. 66.

This Research Report (No. 14) is a study of three "minimum package projects" in Southern Ethiopia, carried out with Swedish agricultural development assistance. The projects had been under way for little more than a year when the report was written and the author wisely declines to draw any conclusions and prefers to regard

his work as providing indicators for those concerned with Swedish aid. He emphasises how unrealistic it is to postulate that rural Ethiopian society is static (backward and ignorant) and that such as the Swedish projects alone introduce a measure of dynamics – for this ignores the mechanisation/commercialisation process which already exists – and indeed endangers the tenancies of many small farmers. The gradual Imperial reforms are regarded as radical by powerful landowning members of Parliament. The (draft) Agricultural Tenancy Relationship Proclamation provides a step forward, but it is very limited progress. The author sees the chance of really improving the small farmers' lot as slight as long as the commercial farmer is uncontrolled. He sees as a pre-requisite to the real betterment of tenant farms, the replacement of the present governor system of administration by a system of local government bringing popular participation into local-level administration and providing for local initiatives and responsibilities.

**Growth and World Equilibrium; Report on an International Symposium sponsored by DANIDA and the Danish Ministry of Education and jointly organised by DANCHURCHAID and OXFAM;** pp. 83; copies obtainable free from OXFAM, Banbury Road, Oxford.

This joint Anglo-Danish Symposium was held at Elsinore in August 1973, attended by some 80-90 participants almost all from the organisers' two countries. The report is in two sections: Part I contains summaries of lectures delivered by Professors T. Kristensen, Hans Singer and G. Borgstrom; Sir Denis Rickett, A. Monk, Mrs. Judith Hart, M. Jacques Beaunart and Mr. K. H. Petersen. The summaries are in too short and staccato a form to be assessed here, apart perhaps, from Prof. Borgstrom's stern and salutary warning of the shape of things to come unless a mammoth effort is mounted to deal with world poverty, "To-day's Calcutta will be a model city compared with the monsters of 15-16 million people now taking shape". The urgent need to stockpile world food reserves is emphasised, to transfer fish and oilseed production to feed the poor and not the rich man's cattle.

Part II contains the symposium's workshop papers also in summarised form. "Action Groups for Development" setting out five major guidelines emphasise that the direction action takes must be towards the poor, and groups from developed and developing lands should act jointly together to this end; a clinically-shrewd list is made on how to influence decision makers; "Towards a Change in Life Style" is well intentioned and justifiably calls for the well-off to make some measure of sacrifice to help the poor of the Third World. But beauty has a place in the world and only a limited number of ascetic monks are tolerable in any society. How to be holier than thou doesn't really help. However, the Symposium report adds most usefully to the growing call for action to deal with World Poverty.

**Some Aspects of Counselling and Guidance at the Higher Education Level,** by R. JACKSON; *UNESCO, Paris,* 1973; appendix; pp. 39+3.

This is a sincere little booklet advocating recognition of a new concept – a "guidance" service to operate in terms of life-long education, to be recognized by higher educational policy makers, to be accorded similar status "as medical and other key University personnel", to play a major role in higher education institutions, to be financed under technical assistance, to be involved in on-going research on "guidance". One must admit that it sounds rather gimmicky and if the already generally sought objective of making the best use of educational resources cannot be achieved without setting up a strange new corpus of Counsellors, with five years specialized multi-disciplinary training and frequent refreshers, then, heigh-ho, few countries anywhere will ever be able to reach their educational goals. It is one thing to set out a list of widely-accepted (and surely widely-followed) educational purposes (pp. 18-19), it is quite another to claim that these aims call for a new mysterious technique of soi-disant "guidance" (on p. 7 there is given an absurd "definition" of this straightforward English word), requiring new instructions for procedures, forms, inquiries, to be followed (all systematised by a new Corps of educational drill sergeants).

The author's motives and those of UNESCO are surely of the best, but educational planners in the Third World need to beware of hard-ridden new hobby-horses.

**Research Report No. 17:** The Economic Structure of Morogoro Town, by JAN LUNDQUIST; pp. 70; Skr. 5.00.

**Research Report No. 18:** Some Notes on African Statistics, by LARS BONDESTAM; pp. 59; Skr. 5.00.

**Research Report No. 19:** Soviet Research in Africa; pp. 68; Skr. 5.00.

**Research Report No. 20;** YDLC – A Literacy Campaign in Ethiopia, by ROLF and MARGARETA SJOSTROM; pp. 72; Skr. 5.00.

All published by the *Scandinavian Institute of African Studies, Uppsala, Sweden.*

**Report No. 17.** Morogoro Town is pleasantly sited in the foothills of Tanzania's Uluguru mountains, a regional and district headquarters on the main railway line to the Lakes, on the main highway to the South West and Zambia. The main East/West road is nearby, the Tanzam railway is not far off. It is earmarked for "concentrated urban development"; compared with Ugogo to the West, Handeni to the North, Bagamoyo to the East, the district is agriculturally rich, reasonably well watered and usually blessed with adequate rainfall. These happy circumstances and its strategic position on the lines of communication augur well for a prosperous future. If Dodoma becomes the capital of Tanzania, then Morogoro will be midway between the commercial capital and main port, Dar es Salaam, and the new administrative headquarters of the State in the dry arid central plateau. This turn of events will add to Morogoro's strategic importance, will stimulate agricultural production, and surely add to the wealth of the town and district albeit the rate of state-aided urban development may well decline if attention is concentrated on Dodoma. Meantime, this short overview of Morogoro town, if not very profound, will provide several helpful growth indicators.

In **Report No. 18** the author examines African statistics and concludes by doubting whether it is possible for the ordinary reader to judge their reliability. He believes that serious research reports are likely to provide the more reliable figures. Much of this study is taken up with population and associated statistics. By and large the value of this report lies in the warnings it gives on the danger of accepting such statistics as are presently available.

**Report No. 19** examines Soviet research, particularly in the sphere of international relations and the author uses the concepts advanced by O. R. Young in his "Systematic approach to International Politics" as the theoretical framework for this thesis.

**Report No. 20** describes a literacy campaign being carried out mainly in the rural areas of 12 of Ethiopia's 14 provinces. Started in 1962, supported by the Lutheran World Federation, some 375,000 illiterates have been reached and, in 1973, 100,000 students were enrolled in campaign schools. Aimed at the 15-25 age group, so far most students have been children. With Amharic the mother tongue of only one-third of the population and the only language for literacy instruction, a simplified variety of Amharic has been introduced and a combination of visual aids and sound tapes used to introduce Amharic to those who speak other dialects. The campaign has found it difficult to attract adults particularly women. Absenteeism, and dropping out are other problems faced.

*Occasional Paper* 73/10: **Alternative Goals and Policies in Local Administration,** by JERZY J. WIATZ; pp. 17.

*Occasional Paper* 73/5: **Labour-Intensive Administration in Departmental Perspective,** by WARREN F. ILCHMAN; pp. 46+v.

Published by the *Vienna Institute for Development.*

Few will disagree with the author of Paper 73/10 that there are three major alternatives:

How much autonomy?
How much mobilisation (of human resources)?
How much democracy?

Jerzy Wiatz outlines the generally-acceptable goals of social administration and examines how far these can be reached through local administrative channels. Here he sees the local role as one of (a) mobilizing available resources for national and local economic growth, (b) helping to redistribute wealth by giving priority attention to the

less-developed communities and by reallocating resources within the community, (c) providing social welfare services.

This is a very useful short study.

Warren Ilchman's purpose in Paper 73/5 is to stimulate ideas on how to cut the red tape of bureaucracy and create an efficient administration that is not over-staffed. The paper will be stimulating to political scientists but its unstructured form and staccato style may, perhaps, be a little bewildering to some readers.

**Crop Pests in Tanzania and their Control,** by DR. EBERHARD BOHLEN and edited by the Federal Agency for Economic Co-operation; *Verlag Paul Parey, Berlin,* 1973; pp. 142; 252 colour photos on 42 plates, and 18 black and white illustrations; preface and index.

The Kilombero Agricultural Training and Research Institute (KATRIN) was established in 1962, near Ifakara in Tanzania, as a development aid project of the German Federal Republic. This work, which is described as a partial report from KATRIN, is a slim, compact volume, as befits a book intended for use by the man in the field. Its particular interest, apart from the beautifully clear colour photographs, is the attention it pays to the problem of food crops – maize, rice, groundnuts, etc. – being attacked by pests, whereas, hitherto, greater concern has usually been expressed over damage suffered by such cash crops as coffee, cotton, sisal and so on. Not that the problems of pest damage to cash crops are overlooked, but it is right that the emphasis should now be on hazards to adequate nutrition, at a time when it is more important than it has ever been for the countries that can, to be able to feed themselves.

The book contains sections on plant pests and their characteristics; beneficial insects, pesticides and their range of effectiveness, plus a well-needed glossary.

**Colonialism in Africa, 1870-1960,** Vol. V, by PETER DUIGNAN and L. H. GANN; *Cambridge University Press,* 1974; index; pp. 552; £9.00.

Volume V of the author's *magnum opus* on Colonialism in sub-Saharan Africa provides a bibliographical guide to reference materials, to specific subjects, to areas (by metropolitan power, region and dependency). The authors as they show in the Introduction remain unrepentant believers that the Colonial era was not one devoted solely to the selfish exploitation of the weak by the strong, but one, when judged in proper perspective, which had brought considerable economic and social progress and a great deal of valuable, disinterested research, particularly by British academic pioneers. It is no bad thing that a carefully researched major work should be available to students and scholars so as to provide something of a counter-balance to a great deal of recent writing based rather more on political thinking than on historical fact. Of considerable help to Africanists will be this bibliography and the extent to which the authors' assessment of colonialism is merited can be judged by those scholars who follow up the book lists and read the original material cited. To provide some 2,500 references each with a brief explanatory note is inevitably a selective matter and no doubt scholars will regret the omission of some favourite work. One notes that the reference to the *Journal of Administration Overseas* is imperfect. Nonetheless this is a very useful book of reference, perhaps the most valuable in the authors' series; certainly it has been admirably produced by the Cambridge University Press.

**Neo-Colonialism in West Africa,** by SAMIR AMIN; *Penguin African Library,* Tables, bibliography, index; pp. 297; £0.70.

In this small and modestly-priced book Samir Amin studies the problem of economic growth faced in the post-independence era by nine franco-phone states of West Africa (Dahomey, Guinea, Ivory Coast, Mali, Mauretania, Niger, Senegal, Togo and Upper Volta). A few pages on Ghana part Colonial, part post-independence and all historical/factual do not add to the overall theme and seem a little out of place. A glance is given to the Gambia where economic growth is described as illusory.

The author claims that what he calls the West African "fragmentation of economic area" has resulted in irresistible foreign domination and underdevelopment. He seeks to draw up a balance sheet for that part of West Africa which he examines. He paints a picture of economic woe. Too much spent on infrastructure, too much Westernisation. He believes the area has reached an economic impasse with a "permanent crisis in public finances and the tight foreign dependence which this entails". He would like to see economic independence achieved, but he seems very pessimistic as to the future. Here we have an economist convinced, it seems, that the West is wrong and

reading into his statistics findings to fit his own particular theory – no doubt other economists could be found to argue otherwise. Certainly Samir Amin appears more concerned with figures than with people, with GNP rather than with the eradication of poverty.

**The Administration of Burma,** by MA MYA SEIN; *Oxford University Press;* illustrated, maps, appendices, notes, bibliography, index; £6.25.

The OUP is to be congratulated in republishing this major historical study of Burmese administration by a remarkable Burmese lady whose academic career at Oxford, in Burma, and in the USA, spans half a century. The value of a reprint such as this lies in the detailed study on which it is based whereby the student or researcher can obtain a very clear picture of what kind of Burmese village administration existed before the Colonial era and how it was affected by the advent of British rule and following the reform measures introduced by Sir Charles Crosthwaite. It is remarkable to see the value of sea-borne and inland trade standing at over £M24 as long ago as 1884-85.

So rapid was the British occupation that the view is put forward that its very speed prevented any gradual assimilation of local administrative procedures.

**Employment Problems and Policies in the Philippines;** *International Labour Office, Geneva;* pp. 135; £0.60.

This was the second Employment Research paper prepared by ILO in advance of the major Mission reports which were mounted as part of the World Employment Programme. It is significant that a welcome shift of emphasis towards employment-creating development in the agricultural sector was included in the new (now current) economic development plan, in advance of the swing elsewhere away from the modern sector. Currently, and surely mistakenly, one hears growing criticism of the Green Revolution because it tends to enrich the more prosperous farmer rather than the poorer cultivator. In the national perspective it can be seen here how one major reason for the rapid expansion of agricultural output in the Philippines is attributable to the new high-yielding strains of rice.

It will be interesting to learn how far the target set in the 4-year Plan now ending, for training and placing 100,000 workers p.a., has been achieved.

**Handbook of Creative Learning Exercises,** by HERBERT M. ENGEL; *Gulf Publishing Co., Houston, Texas;* appendix, bibliography, index; pp. 276; $(US) 8.95.

The author directs training programmes in New York State's department of local government. This is a trainer's guide, providing case studies, training exercises, examples of in-basket training, etc., aimed at in-service personnel training. While the language used at times seems a little quaint and while sensible decision-taking will invariably depend as much on an individual's character and particular circumstances (mental, job-wise, etc.) as on any methodology he may have learnt, from the management side the sort of exercises here set out will help to provide a reasonable indication of the trainee's character whereby to assess his decision-taking competence.

**Research Report No. 16 – The Institution of Slavery in Zanzibar and Pemba,** by ABDULLAZIZ Y. LODHI; *Scandinavian Institute of African Studies, Uppsala, Sweden,* 1973; Appendices, Notes, bibliography; pp. 40; Skz. 5.00.

The author condenses into this small monograph a useful introductory account of slavery in Zanzibar in the late Nineteenth Century. Unemotionally, somewhat naively, Abdullaziz Lodhi sets out the rules applicable to slaves of varying status, and the obligations of slave owners. He keeps to the facts he has learnt in his researches and avoids any subjective comments on slavery itself other than to indicate, perhaps unintentionally, that it was not necessarily all that bad for the victims. But to explain this most evil of injustices solely in the terms of the owner-made rules leaves a very great deal unsaid.

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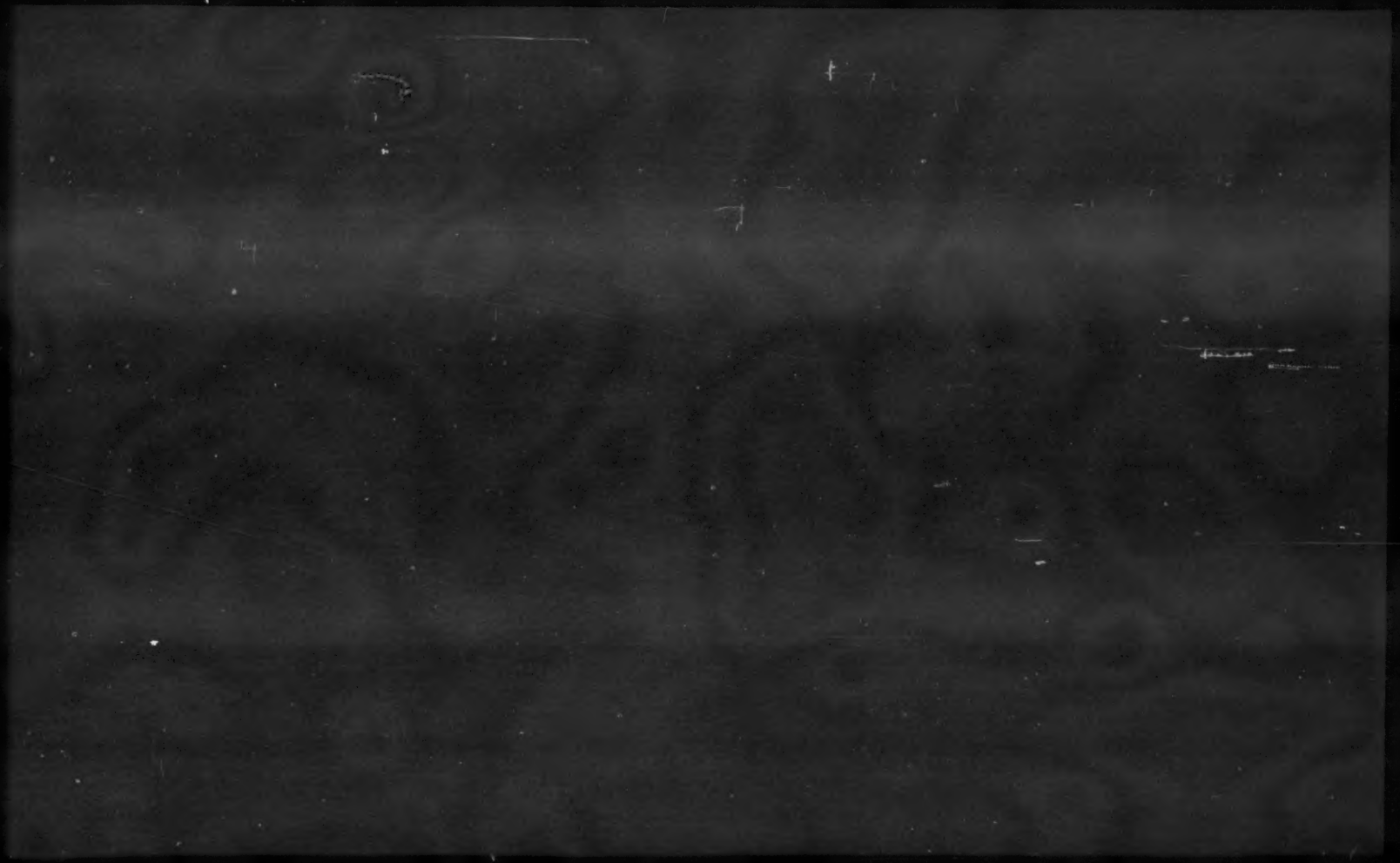

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## *Contents*

International Liquidity and the Developing Countries
OLADEJO OJO AND AKIN OGUNPOLA

The Development of Agricultural Administration in Malawi
COLIN BAKER

Political Communication Under the Western State Military Regime, 1966-1971
L. DARE

British Parliament and the Nigerian Crisis: Some Background Notes
W. A. AJIBOLA

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